

# Exhibit 120-TR

## Part 1 of 3

[REDACTED] = Plaintiffs' provisional redactions ("ppr") of content of this videotaped deposition and its transcript, made subject to Plaintiffs' reservation of rights to challenge later. ECF No. 9885.

1                   UNITED STATES DISTRICT COURT  
2                   SOUTHERN DISTRICT OF NEW YORK  
3                   - - -  
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5                   IN RE: TERRORIST ATTACKS : 03-MDL-1570  
6                   ON SEPTEMBER 11, 2001 : (GBD) (SN)  
7  
8                   - - -  
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10                  JUNE 9, 2021  
11  
12                  THIS TRANSCRIPT CONTAINS  
13                  CONFIDENTIAL MATERIAL  
14                  - - -  
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17                  Remote Videotaped  
18                  Deposition, taken via Zoom, of OMAR  
19                  AL-BAYOUMI, commencing at 7:04 a.m., on  
20                  the above date, before Amanda  
21                  Maslynsky-Miller, Certified Realtime  
22                  Reporter and Notary Public in and for the  
23                  Commonwealth of Pennsylvania.  
24  
25                  - - -  
26

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I N D E X  
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Testimony of: OMAR AL-BAYOUMI

6 By Mr. Pounian

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E X H I B I T S

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2 DEPOSITION SUPPORT INDEX

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4

5 Direction to Witness Not to Answer

6 Page Line Page Line Page Line

7 None

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10 Request for Production of Documents

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12 23 17

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15 Stipulations

16 Page Line Page Line Page Line

17 12 1

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20 Question Marked

21 Page Line Page Line Page Line

22 None

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2 (It is hereby stipulated and  
3 agreed by and among counsel that  
4 sealing, filing and certification  
5 are waived; and that all  
6 objections, except as to the form  
7 of the question, will be reserved  
8 until the time of trial.)

9

- - -

10 VIDEO TECHNICIAN: We are  
11 now on the record. My name is  
12 David Lane, videographer for  
13 Golkow Litigation Services.  
14 Today's date is June 9th, 2021.  
15 Our time is 7:04 a.m. Eastern  
16 Standard Time.

17 This remote video deposition  
18 is being held in the matter of the  
19 Terrorist Attacks on September  
20 11th, 2001. Our deponent today is  
21 Omar al-Bayoumi.

22 All parties to this  
23 deposition are appearing remotely  
24 and have agreed to the witness

1 being sworn in remotely.

2 Due to the nature of remote  
3 reporting, please pause briefly  
4 before speaking so that all  
5 parties are heard completely.

6 Our counsel will be noted on  
7 the stenographic record. The  
8 court reporter today is Amanda  
9 Miller, who will now swear in our  
10 witness.

11 - - -

12 RODINA MIKHAIL, BACHAR  
13 AL-HALABI and MARWAN ABDEL-RAHMAN  
14 were duly sworn to translate  
15 questions from the English  
16 language to the Arabic language  
17 and the answers from the Arabic  
18 language to the English language.

19 - - -

20 OMAR AL-BAYOUMI, after  
21 having been duly sworn, was  
22 examined and testified as follows:

23 - - -

24 VIDEO TECHNICIAN: Please

1 begin.

2 - - -

3 EXAMINATION

4 - - -

5 BY MR. POUNIAN:

6 Q. Mr. Bayoumi, good afternoon.

7 My name is Steve Pounian. I'm with the  
8 plaintiffs' committee here in New York  
9 City that represents the 9/11 families  
10 that have brought a lawsuit against the  
11 Kingdom of Saudi Arabia as a result of  
12 the 9/11 attacks.

13 Do you understand that, sir?

14 A. Yes.

15 Q. And do you speak English,  
16 sir?

17 A. Yes.

18 Q. And you have studied courses  
19 in English; am I correct?

20 A. (In English) Yes.

21 Q. And you understand me as I'm  
22 asking these questions now and as I'm  
23 speaking to you, is that right, in  
24 English?

1                   A.         (In English) I lost my  
2 English because I didn't use it for a  
3 long time.

4                   INTERPRETER AL-HALABI: He  
5                   said in Arabic, yes, but. And  
6                   then added, I lost my English.

7 BY MR. POUNIAN:

8                   Q.         But you understand me as  
9 I'm -- as I'm talking to you now?

10                  A.         (In English) Yes.

11                  Q.         So you're hearing my --  
12 you're hearing and understanding my  
13 question when I present it to you in  
14 English; is that right?

15                  A.         (In English) But I prefer in  
16 Arabic.

17                  Q.         And you have given  
18 interviews before regarding -- regarding  
19 this case and the events in the year  
20 2000; you have done that, sir?

21                   You've given interviews  
22 before?

23                  A.         Yes.

24                  Q.         And you gave an interview

1 with the 9/11 Commission where you gave  
2 the interview completely in English; am I  
3 right?

4 A. What year?

5 Q. Before, with the 9/11  
6 Commission, sir.

7 A. Yes. But what year? What  
8 year?

9 Q. In October of 2003, sir.

10 A. Yes, that's true. But since  
11 2003, I haven't used the English  
12 language, therefore, I have been -- or I  
13 missed some of my ability, of my  
14 vocabulary that I lost.

15 Q. And you also gave an  
16 interview with the Federal Bureau of  
17 Investigation in that same year?

18 A. Yes.

19 Q. And you did that in English?

20 A. There were interpreters.

21 Q. And did you speak in English  
22 during that interview?

23 A. I do speak English, but I  
24 lost some of the vocabulary -- my

1 vocabulary, because I haven't used it.

2 Q. Now, other than those two  
3 interviews, were you ever interviewed by  
4 anyone else regarding the events that  
5 occurred in California in the year 2000?

6 A. You mean from 2000 until  
7 now? Tens of interviews.

8 Q. And what interviews were  
9 those?

10 A. Questions regarding the  
11 events of 9/11.

12 Q. And who asked those  
13 questions to you?

14 A. Many parties.

15 Q. Who?

16 INTERPRETER ABDEL-RAHMAN:  
17 Many entities.

18 THE WITNESS: It started in  
19 Britain. I used to live in  
20 Britain, in Birmingham. I was  
21 interviewed many times in Britain.  
22 I don't remember exactly the  
23 number, but it was a lot.

24 Then I went to Saudi Arabia

1                   and there was a lot of interviews,  
2                   but I don't remember exactly the  
3                   number.

4     BY MR. POUNIAN:

5                   Q.       Who interviewed you in Saudi  
6                   Arabia?

7                   A.       When I first went back to  
8                   Saudi Arabia, when I first arrived from  
9                   Britain, it was by Saudi Arabia, then the  
10                  FBI, then --

11                  INTERPRETER AL-HALABI: Note  
12                  that the witness said CIO.

13                  THE WITNESS: -- then there  
14                  was the Commission report. There  
15                  was many groups over the past 20  
16                  years. Every once in a while  
17                  there will be questions and then  
18                  there will be answers.

19     BY MR. POUNIAN:

20                  Q.       Who from Saudi Arabia  
21                  interviewed you?

22                  MR. SHEN: Objection. I  
23                  have an objection to the  
24                  translation. He did not say Saudi

1 Arabia.

2 INTERPRETER AL-HALABI: I  
3 said (foreign language spoken).  
4 That's, in Arabic, the Kingdom of  
5 Saudi Arabia, Mr. Shen.

6 MR. SHEN: The witness did  
7 not say that entities in Saudi  
8 Arabia interviewed him.

9 MR. POUNIAN: Well, can we  
10 hear from the witness, please, and  
11 not from counsel?

12 MR. SHEN: The translation  
13 was wrong. If you could just ask  
14 the question again.

15 MR. POUNIAN: Well, that's  
16 not the translation that I heard.  
17 I heard the translation was that  
18 an entity of Saudi Arabia  
19 questioned him, and that's what  
20 I'd like to find out.

21 BY MR. POUNIAN:

22 Q. Which entity --

23 MR. SHEN: That's not what  
24 he said. So ask the question

1 again.

2 MR. POUNIAN: Okay. I'll  
3 ask a question.

4 BY MR. POUNIAN:

5 Q. What entity of the Kingdom  
6 of Saudi Arabia interviewed you?

7 MR. SHEN: Objection to  
8 form. Misstates his testimony.

9 THE WITNESS: First, it was  
10 the investigation or detectives  
11 from -- in Saudi Arabia, because  
12 there is -- every student has to  
13 prepare a report when he leaves  
14 Saudi Arabia, when he comes back  
15 he would write a report, what  
16 happened to him abroad until he  
17 came back to Saudi Arabia.

18 BY MR. POUNIAN:

19 Q. And what --

20 THE WITNESS: The  
21 translation is not accurate.

22 MR. POUNIAN: Do you want to  
23 tell us -- do you want to tell us  
24 in English, sir, what the facts

1 are?

2 MR. SHEN: His preferred

3 language -- we're having

4 significant translation issues.

5 Can we please switch interpreters?

6 MR. POUNIAN: Let's

7 continue.

8 BY MR. POUNIAN:

9 Q. How is the -- how is the

10 translation not accurate, sir?

11 MR. SHEN: Mr. Bayoumi is

12 not going to translate his own --

13 MR. POUNIAN: I'm just

14 saying -- I'm asking him --

15 MR. SHEN: -- in Arabic.

16 Another check interpreter said

17 that the translation is not

18 accurate.

19 MR. POUNIAN: He just told

20 us that the translation, the

21 witness told us the translation is

22 not accurate. I'm asking him, how

23 was it not accurate? That's

24 what --

1                           MR. SHEN: It wasn't the  
2                           witness -- that wasn't the witness  
3                           who said that.

4                           MR. POUNIAN: I thought I  
5                           saw those words come from the  
6                           witness. If I'm wrong, that's  
7                           what I saw.

8                           MR. SHEN: Let's switch  
9                           translators and ask the question  
10                          again, please.

11                          MR. POUNIAN: We're not  
12                          going to switch translators on  
13                          your whim. I would just like to  
14                          ask --

15                          MR. SHEN: It's not my whim,  
16                          it's the fact that the translation  
17                          is inaccurate.

18                          MR. POUNIAN: All right.

19                          MR. SHEN: You have another  
20                          translator on. Let's switch  
21                          translators and ask the question  
22                          again.

23                          MR. POUNIAN: I'm not going  
24                          to switch translators right now,

1           Andy. Let me just ask my  
2           question.

3 BY MR. POUNIAN:

4           Q. Who in the Kingdom of Saudi  
5 Arabia interviewed you regarding the  
6 facts of this case, the 9/11 case?

7           A. The Interior, of course.

8           Q. And who from the Interior?

9           A. (In English) I don't know.

10           THE WITNESS: The Interior  
11           of Ministry.

12 BY MR. POUNIAN:

13           Q. And when did that interview  
14 take place?

15           A. I don't remember, a long  
16 time ago when I first returned.

17           MR. POUNIAN: We request  
18 production of the interview  
19 reports of the Ministry of the  
20 Interior of Omar al-Bayoumi.

21           MR. SHEN: That request has  
22 already been rejected.

23           MR. POUNIAN: I don't  
24 believe that's correct, Mr. Shen.

1 BY MR. POUNIAN:

2 Q. What other Saudi government  
3 agencies --

4 A. I don't understand what he's  
5 asking me.

6 Q. I didn't ask a question,  
7 sir. I was making a statement to the  
8 lawyer for Saudi Arabia. It was not a  
9 question to you.

10 But my question was, what  
11 other agencies of the Kingdom of Saudi  
12 Arabia interviewed you other than the  
13 Interior of Ministry?

14 MR. SHEN: Objection. Form.

15 THE WITNESS: I don't know.

16 (In English) No. No. It's  
17 wrong. It's wrong.

18 MR. POUNIAN: What's wrong?

19 THE WITNESS: I said no one.

20 INTERPRETER Al-HALABI: I'm  
21 sorry, the interpreter was having  
22 trouble hearing the witness.

23 THE WITNESS: (In English)  
24 You said you didn't know. And I

1                   said, no one.

2                   MR. SHEN: Can we please  
3                   change interpreters? We're having  
4                   significant issues here.

5                   MR. BEETAR: This is the  
6                   checker. I have to side with  
7                   Bachar this time, because I heard  
8                   it also "I don't know" before he  
9                   said "no one."

10                  And I'm trying to see if  
11                  there's any major issues to report  
12                  to.

13                  THE WITNESS: (In English)  
14                  It's no one. It's different.

15                  Right. Do you hear me now?  
16 BY MR. POUNIAN:

17 Q.               How many times were you  
18 interviewed by the Ministry of Interior?

19 MR. SHEN: Objection to  
20 form.

21 THE WITNESS: Should I  
22 answer? There is an objection.

23 MR. POUNIAN: Yes, you can  
24 answer.

1                           THE WITNESS: Every time a  
2                           committee or officials come from  
3                           America, they would interview me  
4                           at the Interior Ministry. I would  
5                           come to the Interior Ministry, I  
6                           would answer the questions.

7 BY MR. POUNIAN:

8                           Q.     How many times did the  
9                           Ministry of the Interior officials  
10                          question you?

11                          MR. SHEN: Objection to  
12                          form.

13                          THE WITNESS: I don't  
14                          remember.

15 BY MR. POUNIAN:

16                          Q.     Were the interviews  
17                          recorded?

18                          MR. SHEN: Objection to  
19                          form.

20                          THE WITNESS: I don't know.

21 BY MR. POUNIAN:

22                          Q.     Did you ever see any  
23                          summaries or transcripts of the  
24                          interviews?

1 MR. SHEN: Objection to  
2 form.

3 THE WITNESS: Nobody would  
4 give me the summary. If anything,  
5 I would read the papers and such.

6 BY MR. POUNIAN:

7 Q. What papers?

8 MR. SHEN: Objection to the  
9 translation. He said newspapers.

10 Let's change translators,  
11 please. We have a significant  
12 issue with this translator.

13 INTERPRETER AL-HALABI: I'm  
14 sorry, papers --

15 MR. POUNIAN: I asked -- I  
16 asked the question to the witness.  
17 I have not gotten an answer yet.

18 BY MR. POUNIAN:

19 Q. What papers?

20 MR. SHEN: The answer from  
21 the witness was newspapers.

22 MR. POUNIAN: Well, the  
23 witness has not -- you're giving  
24 that answer, Mr. Shen, not the

1 witness --

2 MR. SHEN: No, the witness  
3 gave that, and the translator did  
4 not translate.

5 MR. POUNIAN: Well, I just  
6 followed up on the question. I  
7 asked him what papers.

8 MR. SHEN: I'm not faulting  
9 you, Steve.

10 MR. POUNIAN: I understand  
11 that. But let the witness answer  
12 the question.

13 MR. SHEN: The translation  
14 is wrong. Let's switch  
15 translators. We have multiple  
16 translators on the phone.

17 MR. POUNIAN: There are  
18 nuances, obviously, in any  
19 translation, and the witness can  
20 answer the question.

21 I think that's the best way  
22 to just let it proceed instead of  
23 having objections like this.

24 MR. SHEN: We've raised

1           issues with this translator  
2           before. We have significant  
3           issues with translations.

4           And we're going to renew our  
5           objections to the use of this  
6           translator.

7           MR. POUNIAN: All right.

8           Could I have an answer to my  
9           question?

10          BY MR. POUNIAN:

11          Q.       What papers?

12          MR. SHEN: Objection to the  
13          translation of the question. The  
14          translator, in the question, said  
15          newspapers, not papers.

16          INTERPRETER AL-HALABI: Mr.  
17          Shen, I can't work like that. He  
18          said (foreign language spoken).  
19          (Foreign language spoken) in  
20          Arabic can mean papers or  
21          newspapers. And if you would hear  
22          his answer to this question, then  
23          you would know what he meant.

24          Can I translate the answer,

1 please?

2 MR. SHEN: Your translation  
3 to the question is wrong. We  
4 object to the translation to the  
5 question.

6 MR. POUNIAN: Could we  
7 please get the answer from the  
8 witness to the question from the  
9 translator?

10 MR. SHEN: The objection is  
11 that the translation of the  
12 question was -- he said, which  
13 newspapers did you review?

14 INTERPRETER Al-HALABI: So  
15 the answer was --

16 MR. POUNIAN: He used -- the  
17 translator, as I understand it,  
18 used the same Arabic word as the  
19 witness.

20 INTERPRETER Al-HALABI:  
21 That's correct.

22 MR. POUNIAN: So I don't  
23 understand what the issue is. And  
24 I'd like to hear the answer from

1                   the witness.

2                   MR. SHEN: The problem is  
3                   that the witness said newspapers.

4                   And you asked the question, which  
5                   papers did you review, and then  
6                   the translator used the word  
7                   newspapers in his question.

8                   MR. POUNIAN: No, the  
9                   translator used the identical word  
10                  that the witness did.

11                  MR. SHEN: Which is  
12                  newspapers, which he mistranslated  
13                  the first time.

14                  MR. POUNIAN: It was not --  
15                  I'm not a translator, Andy. So  
16                  can I just ask my questions? And  
17                  the witness can answer and then  
18                  maybe it will resolve this.

19                  MR. SHEN: It will resolve  
20                  this by using a different  
21                  translator, Steve.

22                  MR. POUNIAN: I don't  
23                  think -- I don't think that's the  
24                  issue. I don't think that's the

1 issue. I think you're raising a  
2 bogus objection here.

3 And I would just like to get  
4 an answer from the witness to the  
5 question. That's what we deserve  
6 right now.

7 MR. SHEN: What's the  
8 question again, please?

9 MR. POUNIAN: That's not  
10 correct. We had an answer from  
11 the witness. I'd like the  
12 translation of the answer that the  
13 witness gave.

14 The witness gave an answer  
15 in Arabic. We still have not  
16 heard it. I would like to hear  
17 it.

18 Could -- what's the answer  
19 of the witness in Arabic?

20 THE WITNESS: There was no  
21 specific papers. There was no  
22 specific newspapers. There was  
23 nothing specific. I would see  
24 things on the Internet and other

1 things.

2 INTERPRETER AL-HALABI: And  
3 that's when -- this is the  
4 interpreter speaking now.

5 That's when the witness was  
6 interrupted.

7 INTERPRETER ABDEL-RAHMAN:  
8 Bachar, he also says that he  
9 doesn't take much interest, in  
10 that he rarely takes interest in  
11 this subject.

12 INTERPRETER AL-HALABI:  
13 Thank you, Marwan. It's hard to  
14 remember everything, as an  
15 interpreter, when you keep getting  
16 interrupted.

17 INTERPRETER ABDEL-RAHMAN: I  
18 know.

19 BY MR. POUNIAN:

20 Q. When were you first -- when  
21 were you first employed by the Kingdom of  
22 Saudi Arabia?

23 A. 1396.

24 Q. And how long were you

1 employed by the Kingdom of Saudi Arabia?

2 A. Approximately 38 years.

3 Q. And when did you retire from  
4 work with the Kingdom of Saudi Arabia?

5 A. Four, five years,

6 approximately. I forgot exactly.

7 Q. And what year -- what year  
8 was that?

9 A. I forgot right now. I can't  
10 remember. But it's in the documents.

11 Q. When is the first time you  
12 traveled to the United States of America?

13 A. First trip?

14 Q. Yes.

15 A. Before my trip to study.

16 Q. And when was that, sir?

17 A. (In English) I don't  
18 remember the exact year, but you can find  
19 it in the documents.

20 Q. Where did you go in the  
21 United States before your trip to study?

22 A. I went also to study at a  
23 language institute.

24 Q. So is the first time you

1       went to the United States when you went  
2       to San Diego to study English?

3           A.       No.

4           Q.       When had you been to the  
5       United States before that?

6           A.       Before my trip to study to  
7       San Diego, I went to Florida. I studied  
8       there. I studied the English language  
9       for two months. Then I returned to Saudi  
10      Arabia.

11          Q.       And where in Florida did you  
12      go?

13          A.       Florida? I forgot where I  
14      went, but it was close to Boca Raton.

15          Q.       And when did you go to  
16      Florida?

17          A.       I don't remember.

18          Q.       And who sent you to Florida?

19          A.       I sent myself.

20          Q.       And were you on vacation in  
21      Florida?

22          A.       I enrolled in the institute.  
23        I went there for two months. It was a  
24      vacation to me.

1 Q. Were you receiving pay at  
2 work while you were in Florida?

3 A. I was on vacation.

4 Q. And how did you decide where  
5 to go in the United States?

6 A. There was an offer to learn  
7 the English language, so I went.

8 Q. And how did you decide on  
9 going to Florida as opposed to any other  
10 place?

11 A. Because of the offer  
12 available.

13 Q. And what offer was that?

14 A. I don't remember.

15 Q. Who made the offer?

16 A. Tourist office.

17 Q. What tourist office?

18 A. I don't remember exactly  
19 now.

20 Q. Who paid the expenses for  
21 your trip to Florida?

22 A. Myself.

23 Q. And who paid your expenses  
24 for your studies in Florida?

1 A. I did.

2 Q. And what did you study in  
3 Florida?

4 A. English.

5 Q. And were you by yourself in  
6 Florida?

7 A. Yes.

8 Q. Did you travel with anyone  
9 there?

10 A. No.

11 Q. And what was your job at the  
12 time you went to Florida?

13 A. I was on vacation, and I  
14 went to study the English language.

15 Q. What was your job at the  
16 time you went to Florida?

17 A. I was the head of a  
18 department.

19 Q. What department?

20 A. (In English) The finance  
21 department.

22 (Through Interpreter) The  
23 finance department.

24 INTERPRETER AL-HALABI: And

1           then the witness added the  
2           finance -- it sounded like he said  
3           Ministry, finance of Ministry.

4           MR. BEETAR: This is Ed, the  
5           checker. He didn't say anything  
6           about Ministry. He said the  
7           finance department.

8           Just finance. That does not  
9           mean it's the Ministry. Just the  
10          finance department. It can be in  
11          any department.

12          I just wanted to clarify  
13          that.

14 BY MR. POUNIAN:

15 Q.       And the finance department  
16 of what -- of what entity?

17 A.       PCA.

18 Q.       And who was your boss when  
19 you went to Florida?

20 A.       Qasim Sharif.

21 Q.       And what was your job title?

22 A.       My title?

23 Q.       Yes.

24 A.       I moved up with many

1 positions. I don't remember exactly.

2 But I remember, when I went  
3 to Florida, I was the head of the finance  
4 department.

5 Q. And was there a division  
6 that you worked at for the Presidency of  
7 Civil Aviation?

8 MR. BEETAR: I was  
9 explaining that the translation  
10 was correct to Mr. Omar. It was  
11 correct.

12 MR. POUNIAN: Can I get a  
13 translation?

14 THE WITNESS: (In English)  
15 Finance department.

16 (Through Interpreter)

17 Finance department.

18 BY MR. POUNIAN:

19 Q. And then you moved to the  
20 Airways Engineering Department?

21 A. Then I moved through many  
22 positions.

23 Q. And did you get a position  
24 in the Airways Engineering Department?

1 A. Yes.

2 Q. Now, you said you moved  
3 through many positions.

4 What positions did you move  
5 through to get to the Airways Engineering  
6 Department?

7 A. Many positions. You can see  
8 it in my C.V.

9 INTERPRETER MIKHAIL:

10 Bachar, switching interpreters.

11 BY MR. POUNIAN:

12 Q. You held many positions in  
13 the finance department, sir?

14 A. Correct.

15 Q. And what positions were  
16 those?

17 A. What positions? I don't  
18 remember. But they are all in the C.V.  
19 If you have my C.V. in front of you, you  
20 are going to find them.

21 Q. Why was it that you  
22 transferred to the Airways Engineering  
23 Department?

24 INTERPRETER MIKHAIL: The

1                   interpreter is asking for  
2                   repetition. The sound is not that  
3                   clear.

4                   THE WITNESS: Can you please  
5                   repeat the question? What was  
6                   mentioned?

7                   I had a few posts.

8                   INTERPRETER MIKHAIL: Can  
9                   you please repeat the question one  
10                  more time for the witness?

11 BY MR. POUNIAN:

12 Q.              I asked, why were you  
13 transferred to the Airways Engineering  
14 Department?

15 A.              So I accomplished a few  
16 successes in the field of flying, and  
17 they would take the most prominent people  
18 and put them in that department. And so,  
19 therefore, they chose me and I went  
20 there.

21 Q.              What successes did you  
22 achieve?

23 A.              In the courses that I would  
24 take and the work that I would do, things

1 of that sort.

2 Q. What work?

3 A. (In English) The finance.

4 (Through Interpreter)

5 Finance.

6 Q. So the assignment to airways  
7 engineering was a promotion for you?

8 A. No. It was an opportunity.

9 Q. And who selected you for  
10 that opportunity?

11 A. The flying department.

12 INTERPRETER ABDEL-RAHMAN:

13 Aviation.

14 MR. BEETAR: Aviation.

15 BY MR. POUNIAN:

16 Q. And who in that department  
17 selected you?

18 A. The head of my department  
19 suggested me.

20 Q. And who was that?

21 A. I don't remember. It's a  
22 big department. But the head was --

23 INTERPRETER MIKHAIL: The  
24 interpreter is just going to ask

1 for the name repetition.

2 THE WITNESS: Qasim Sharif.

3 BY MR. POUNIAN:

4 Q. And this was the head of the  
5 finance department?

6 A. Correct. It was him and  
7 another one called Ibrahim de la Jeki.

8 Q. What was your job at the  
9 airways engineering?

10 A. So they were getting ready  
11 for me to head the finance department.

12 Q. The finance department in  
13 airways engineering?

14 A. Correct.

15 Q. And who was getting you  
16 ready for that?

17 A. Who was getting me ready?

18 Q. I'm saying, who was the one  
19 responsible for you at the -- at airways  
20 engineering?

21 MR. SHEN: Objection to the  
22 form.

23 MR. BEETAR: The witness had  
24 said Alp Karli.

1 BY MR. POUNIAN:

2 Q. And who is Alp Karli?

3 A. (In English) He is the head  
4 of the division.

5 (Through Interpreter) He is  
6 the head of the division of the finance  
7 and contracts.

8 Q. Did he work for the PCA?

9 A. No.

10 Q. Who did he work for?

11 MR. KRY: Objection to form.

12 THE WITNESS: Do I answer?

13 MR. SHEN: Yes, you can  
14 answer.

15 THE WITNESS: What's the  
16 question?

17 BY MR. POUNIAN:

18 Q. I asked who did he work for?

19 MR. KRY: Same objection.

20 THE WITNESS: ANSS. He was  
21 working for the ANSS.

22 BY MR. POUNIAN:

23 Q. Who did he report to, Alp  
24 Karli?

5 Who was his higher up, his  
6 direct higher up.

11 MR. KRY: Objection to form.

12 BY MR. POUNIAN:

13 Q. That was not my question,  
14 sir.

15 I asked who was his  
16 immediate supervisor.

17                   A.        Immediate supervisor is  
18       Dallah.

19 MR. KRY: Same objection.

20 THE WITNESS: And the head  
21 of the airway engineering.

22 BY MR. POUNTAN:

23 Q. And who is the head of the  
24 airways engineering?

1 A. Estan.

2 MR. BEETAR: Sorry,

3 al-Salmi.

4 INTERPRETER MIKHAIL: Oh,

5 ok. Sorry, al-Salmi.

6 THE WITNESS: (In English)

7 al-Salmi.

8 BY MR. POUNIAN:

9 Q. So am I correct that Alp  
10 Karli reported to Mr. Salmi?

11 A. So I don't know, because he  
12 would report to Dallah. He was also the  
13 head of the finance, ANSS, and he would  
14 report --

15 INTERPRETER MIKHAIL: The  
16 interpreter will correct.

17 THE WITNESS: I do not know  
18 because he would report to Dallah.  
19 He was also in finance with ANSS,  
20 headed by Salmi.

21 MR. KRY: Same objection.

22 Just object to the responses as  
23 nonresponsive.

24 BY MR. POUNIAN:

1 Q. Isn't it true, sir, Mr.

2 Salmi could hire or fire Mr. Alp Karli?

3 MR. SHEN: Objection.

4 Foundation.

5 You can answer if you know.

6 MR. POUNIAN: Did we get an  
7 answer?

8 INTERPRETER MIKHAIL: The  
9 answer was I don't know.

10 BY MR. POUNIAN:

11 Q. Where did you work for  
12 airways engineering when you first  
13 started your job there?

14 A. (In English) Can you repeat  
15 the question?

16 INTERPRETER MIKHAIL: The  
17 interpreter can repeat the  
18 question.

19 THE WITNESS: I don't  
20 remember exactly.

21 BY MR. POUNIAN:

22 Q. Well, did you have an  
23 office?

24 A. Yes.

1 Q. And where was your office?

2 A. In the same -- in the  
3 airways engineering.

4 Q. Was that in Jeddah?

5 A. Correct.

6 Q. And where was that office  
7 located?

8 A. Next to Alp Karli's office.

9 Q. And that was a building of  
10 airways engineering?

11 A. Correct.

12 Q. And was Mr. Salmi's office  
13 in the same building?

14 A. Yes.

15 Q. And how long did you work at  
16 that particular office?

17 A. Since I first got the  
18 secondment it was about five years, just  
19 about five years.

20 Q. I asked how long did you  
21 work at the office of airways engineering  
22 in Jeddah?

23 A. I do not know.

24 MR. BEETAR: I don't

1 remember. Sorry. He said, I  
2 don't remember.

3 BY MR. POUNIAN:

4 Q. What were your job duties  
5 when you worked for airways engineering  
6 in Jeddah at the office?

7 A. In the finance department.

8 Q. What did you do in the  
9 finance department?

10 A. Finance matters.

11 Q. What finance matters?

12 A. So salaries, purchases and  
13 contracts and so forth.

14 Q. And what -- what did you do  
15 with regard to these items?

16 INTERPRETER MIKHAIL:

17 Counsel, please repeat the  
18 question for the interpreter.

19 BY MR. POUNIAN:

20 Q. What were you doing with  
21 regard to salaries, purchases, contracts  
22 and so forth?

23 A. I was a reviewer for  
24 renewal.

1 MR. BEETAR: No, no. He  
2 said reviewing and auditing.

3 THE WITNESS: (In English)  
4 Auditing. Yes.

5 MR. KRY: Sorry. On the  
6 realtime at 36/20, I see the  
7 testimony was changed to "next to  
8 Avco's office." The witness said  
9 next to Alp Karli's office. It's  
10 at 36/20.

11 BY MR. POUNIAN:

12 Q. And what were you reviewing  
13 and auditing specifically?

14 A. Anything finance related, it  
15 would come my way and I would look at.

16 Q. Like what?

17 A. So the salaries, the  
18 invoices, the purchases. Every  
19 department, they would have purchases and  
20 I would have to review the transaction,  
21 the procedures of the transactions, the  
22 paperwork, are the paperwork aligned with  
23 the law, are they following the  
24 finance -- the finance conditions and so

1 forth.

2 Q. And did anyone work for you?

3 A. So when I worked for the  
4 airways engineering, they would tell me  
5 that I would replace Karli but I needed  
6 to study English.

7 Q. Who told you that?

8 A. Job requirements.

9 Q. Who told you about replacing  
10 Alp Karli?

11 A. When I first came, they told  
12 me. In the same division.

13 Q. Who told you?

14 A. In the same division, when I  
15 first got there, they told me, get  
16 yourself ready to replace Alp Karli  
17 because he's going to retire. And I was  
18 fit to take the post, but I needed to  
19 better my English.

20 Q. You keep saying, sir, that  
21 "they told you." Who are "they"? Who  
22 are the ones who told you?

23 A. Who told me? The head of  
24 the department and the assistant.

1 Q. And who -- the head of the  
2 department being Salmi?

3 MR. SHEN: Objection to  
4 form.

5 INTERPRETER MIKHAIL:

6 Interpreter did not hear. Please  
7 repeat.

8 THE WITNESS: Alp Karli.

9 MR. BEETAR: Alp Karli,  
10 A-L-P.

11 BY MR. POUNIAN:

12 Q. Did you speak with Mr. Salmi  
13 about that issue?

14 A. Which issue?

15 Q. About your future at airways  
16 engineering.

17 A. No.

18 Q. So is Alp Karli the only  
19 person you spoke to about it?

20 A. Yes. He was my boss. He  
21 was the one getting me ready for me to  
22 take on the post.

23 Q. Sir, who sent you to San  
24 Diego?

1                   A.         So at the beginning, I went  
2         to study, on my own expense, English. I  
3         had --  
4                   - - -

5                   (Whereupon, a discussion off  
6         the record occurred.)  
7                   - - -

8                   INTERPRETER MIKHAIL: The  
9         interpreter will repeat.

10                  THE WITNESS: In the  
11         beginning, I went to study, on my  
12         own expense, English. I had that  
13         intent.

14         BY MR. POUNIAN:

15                  Q.         My question was, who sent  
16         you to San Diego?

17                  A.         No one in specific sent me  
18         to San Diego.

19                  Q.         Sir, you were assigned to  
20         San Diego as part of your job at airways  
21         engineering; am I correct?

22                  A.         Yes. Yes, later on. In the  
23         beginning I was on vacation, and then I  
24         enrolled in Dallah.

1 MR. KRY: Objection.

2 Nonresponsive.

3 BY MR. POUNIAN:

4 Q. Sir, were you saying you  
5 were on vacation in San Diego?

6 MR. SHEN: I'm sorry, can we  
7 check the translation? Did he say  
8 enrolled in Dallah?

9 INTERPRETER MIKHAIL: That's  
10 what the interpreter interpreted.

11 But the monitor can double check.

12 MR. BEETAR: Yes, he said  
13 that. Yes.

14 INTERPRETER MIKHAIL: What's  
15 the question?

16 BY MR. POUNIAN:

17 Q. Sir, who assigned you to go  
18 to San Diego?

19 A. I do not remember.

20 Q. How is it that you  
21 decided -- how is it that it was decided  
22 that you would go to San Diego?

23 A. It wasn't a specific  
24 decision that I would go to San Diego.

1       The decision was that I have to get  
2       educated so I can take on that post.

3           Q.     And how was it that you went  
4       to San Diego?

5           A.     I don't remember exactly,  
6       but there was communication between me  
7       and educational institutions,  
8       universities, until the American national  
9       institution accepted me, so I went.

10          Q.     How was it that you decided  
11       to go to San Diego as opposed to some  
12       other place?

13          A.     So there was an offer from  
14       the American Language Institute at the  
15       San Diego State University, and I  
16       complied.

17          Q.     How was it that you decided  
18       to go to San Diego as opposed to some  
19       other place in the United States, or in  
20       England for that matter?

21          A.     So I don't remember exactly.  
22       I went to Florida prior. If it was  
23       another place, it would have been okay,  
24       too. I could have gone to Minnesota,

1 that would have been okay as well.

2                   But I got an offer from the  
3 American Language Institute, and I  
4 accepted it. And that was that.

5                   Q.       How did you get an offer?

6                   A.       Through communication.

7                   Q.       And you initiated the  
8 communication --

9                   MR. BEETAR: Sorry. Sorry.

10                  It's correspondence.

11                  I have to clarify this for  
12 the next question.

13                  THE WITNESS: I believe it  
14 was me. And I also believe the  
15 division also initiated the  
16 correspondence.

17 BY MR. POUNIAN:

18                  Q.       And by "the division," you  
19 mean the airways engineering, your  
20 finance division?

21                  A.       Correct.

22                  Q.       And who initiated the  
23 correspondence?

24                  A.       Who? I don't remember.

1                   Q.         Which department within  
2 airways engineering handled that?

3                   A.         So there is the employees  
4 division and the finances. Between the  
5 employees and the finance divisions.

6                   MR. BEETAR: It can be  
7 personnel division instead of  
8 employees. Personnel division and  
9 finance division.

10                  INTERPRETER MIKHAIL: Noted.

11 BY MR. POUNIAN:

12                  Q.         I take it, sir, this was not  
13 a decision that you made?

14                  MR. SHEN: Objection to  
15 form. What decision?

16                  MR. POUNIAN: The decision  
17 to go to San Diego.

18                  THE WITNESS: That's the  
19 offer that was offered.

20 BY MR. POUNIAN:

21                  Q.         The offer was obtained by  
22 someone at airways engineering; is that  
23 right?

24                  MR. SHEN: Objection to

1 form.

2 INTERPRETER MIKHAIL: Can we  
3 repeat the question?

4 The offer was by someone in  
5 airways engineering?

6 BY MR. POUNIAN:

7 Q. The offer for you to go to  
8 San Diego was obtained by someone within  
9 airways engineering; you can't remember  
10 who it was, but it was obtained by  
11 someone else; is that right?

12 MR. SHEN: Objection to  
13 form.

14 THE WITNESS: No. What  
15 happened is there was  
16 correspondence with many  
17 universities, and then we got a  
18 reply from San Diego State  
19 University from the American  
20 Language Institute.

21 They made an offer, we  
22 accepted it, and that was that.

23 BY MR. POUNIAN:

24 Q. You said that the

1 correspondence was initiated within the  
2 division.

3 Did you initiate the  
4 correspondence or did someone else do  
5 that?

6 A. I don't remember.

7 Q. Who paid for your school in  
8 the United States, your language school?

9 A. The airways engineering.

10 Q. Did they also pay living  
11 expenses for you?

12 A. Honestly, when it comes down  
13 to expenses, they were paid, they were  
14 cut off, then they were paid, then they  
15 were cut off, on phases.

16 Q. And what do you mean by  
17 that?

18 A. I don't know. It really  
19 depended on their financial  
20 circumstances.

21 Q. Where did you first live in  
22 San Diego?

23 A. When I first got there, in a  
24 hotel.

1 Q. What hotel was that?

2 A. I don't remember.

3 Q. Did you know anyone in San  
4 Diego when you got there?

5 A. No.

6 Q. Did you find an apartment or  
7 a house at some point?

8 A. (In English) Yes, I spent, I  
9 think, three days in the hotel. And  
10 then --

11 (Through Interpreter) Yes,  
12 first I remained for three days in the  
13 hotel, and then I went to an apartment by  
14 taxi.

15 Q. And how did you find the  
16 apartment?

17 A. (In English) I went to the  
18 mosque.

19 (Through Interpreter) I went  
20 to the mosque.

21 Q. Which mosque?

22 A. Islamic Center of San Diego.

23 Q. And what happened when you  
24 went to the mosque?

5 Q. And who did you inquire  
6 with?

7                   A.         The community, the  
8 congregation that was present at the  
9 mosque.

10 Q. Who did you speak with at  
11 the mosque?

12                   A.       I don't remember exactly  
13 with who. Many.

14 Q. You say with "many."  
15 How many people did you  
16 speak with at that time?

17                   A.        I don't remember exactly.  
18 You know, during the prayer time, there  
19 is a congregation of people who pray.  
20 And I inquired -- I asked, does anybody  
21 know an apartment. And they said, yes,  
22 there is one.

23 Q. And do you remember the name  
24 of anyone you spoke with at that time?

1                   A.        (In English) One of them was  
2 American.

3 (Through Interpreter) Yes.

4 One of them was American.

5 Q. And who was that?

6 A. (In English) His name?

7 Q. Yes.

8 A. Omar Hammerman.

9 INTERPRETER MIKHAIL:

10 Hammerman. Okay.

11 BY MR. POUNIAN:

12 Q. And do you remember anyone  
13 else?

14 A. No.

15 Q. And did Omar Hammerman help  
16 you find an apartment?

17 A. (In English) Yes.

18 (Through Interpreter) Yes.

19 Q. And where was that  
20 apartment?

21 A. (In English) San Diego.

22 (Through Interpreter) San  
23 Diego.

## 24 Q. Where?

1 A. (In English) I forgot now.

2 (Through Interpreter) I  
3 forgot now.

4 Q. Was it on Beadnell?

5 A. Beadnell Way?

6 Q. Yes.

7 A. (In English) I think so.

8 Q. You think so?

9 MR. SHEN: The transcript  
10 says Midvale.

11 Is that what you said,  
12 Steve?

13 MR. POUNIAN: I said  
14 Beadnell, B-E-A-D-N-E-L-L.

15 THE WITNESS: Yes, it was  
16 the address on Beadnell. Yes,  
17 correct.

18 BY MR. POUNIAN:

19 Q. It was near the mosque?

20 A. Yes.

21 Q. And where did Omar Hammerman  
22 live?

23 A. Nearby.

24 Q. What did Omar Hammerman do

1 to help you find this apartment?

2 INTERPRETER MIKHAIL: The  
3 interpreter will repeat the  
4 question.

5 THE WITNESS: He walked with  
6 me, and we went and checked out  
7 the apartment.

8 BY MR. POUNIAN:

9 Q. Did he live in the same  
10 building?

11 A. No, no.

12 Q. How did he know the  
13 apartment was available?

14 A. We inquired with a few  
15 complexes, and then we found this one  
16 complex. And they said, yes, there is an  
17 available apartment.

18 Q. When you -- when you went to  
19 San Diego, how long were you planning on  
20 staying there?

21 A. At the beginning, I planned  
22 to only study the English language.

23 Q. How long were you planning  
24 on staying?

1                   A.         At the beginning, my plan  
2 was to remain there for a year.

3                   Q.         And after the year, what was  
4 the plan?

5                   A.         I enrolled in a Master's  
6 program.

7                   Q.         You said, sir, that your  
8 plan, when you went to San Diego, was to  
9 stay there for one year.

10                  And then was your plan,  
11 then, to return to Saudi Arabia after one  
12 year?

13                  A.         Yes.

14                  Q.         And were you being paid a  
15 salary when you moved to San Diego?

16                  A.         Yes.

17                  Q.         Who was paying your salary?

18                  INTERPRETER MIKHAIL: What  
19 was then your salary?

20                  MR. POUNIAN: No. Who was  
21 paying your salary?

22                  MR. KRY: Objection to form.

23                  THE WITNESS: Dallah.

24 BY MR. POUNIAN:

1 Q. Sir, when you first moved to  
2 San Diego, who was paying your salary?

3 MR. KRY: Same objection.

4 THE WITNESS: Dallah.

5 BY MR. POUNIAN:

6 Q. And how was it that Dallah  
7 was paying your salary?

8 MR. KRY: Objection to form.

9 THE WITNESS: They were  
10 paying it because I received a  
11 secondment.

12 BY MR. POUNIAN:

13 Q. When you arrived in San  
14 Diego, did you have what you're calling a  
15 secondment at that time?

16 A. Yes -- no, it was later on.

17 At first I did not have a secondment.

18 Later on, I received a secondment.

19 Q. And who arranged the  
20 secondment?

21 A. The finance division.

22 Q. The finance division of  
23 airways engineering?

24 A. Yes.

1 Q. Sir, did you ever do any  
2 work for Dallah Avco?

3 MR. KRY: Objection to form.

4 INTERPRETER MIKHAIL: The  
5 interpreter, Dallah Avco? Okay.

6 THE WITNESS: So Dallah Avco  
7 works under the umbrella of ANSS.

8 I work under ANSS and not directly  
9 under Dallah.

10 BY MR. POUNIAN:

11 Q. Did you ever have any job  
12 responsibilities when you were working  
13 under ANSS?

14 A. Yes.

15 Q. What were your job  
16 responsibilities?

17 A. Prior, it was in the finance  
18 auditing and financial revisions.

19 Q. And when and where did you  
20 do that work, sir?

21 A. At the beginning, it was at  
22 Karli's office.

23 Q. And that's before you went  
24 to San Diego, is what you're saying, sir?

1                   A.         And also after I came back  
2         from San Diego. I studied for a bit in  
3         Saudi and then after that, I went back to  
4         work.

5                   Q.         What job responsibilities  
6         did you have for ANSS before you went to  
7         San Diego?

8                   A.         I mentioned it before.

9                   Q.         Sir, when did you first work  
10      for ANSS?

11                  A.         (In English) Exact date?

12                  Q.         Yes.

13                  A.         I don't remember.

14                  Q.         Was it before or after you  
15      went to San Diego for the first time?

16                  A.         Yes, yes.

17                  Q.         Yes what? I'm sorry.

18                  A.         Yes, before I went to San  
19      Diego.

20                  Q.         And how long before?

21                  A.         Before I went to San Diego,  
22         I worked for the finance department for  
23         ANSS. Then I went to San Diego.

24                  Q.         And did you have any job

1 responsibilities in San Diego?

2 A. No.

3 Q. Did you do any work when you  
4 were in San Diego?

5 A. No.

6 Q. And who did you report to  
7 when you were in San Diego?

8 INTERPRETER HALABI: I'm  
9 sorry, the interpreter did not  
10 hear the name.

11 THE WITNESS: Alp Karli.

12 BY MR. POUNIAN:

13 Q. And during the time that you  
14 were in San Diego, am I correct that Alp  
15 Karli still reported to Mr. Salmi at  
16 airways engineering?

17 MR. SHEN: Objection to  
18 form.

19 You can answer.

20 THE WITNESS: It could have  
21 been Salmi. It could have been  
22 the project manager in Dallah, who  
23 was appointed by --

24 INTERPRETER AL-HALABI: The

1                   interpreter did not hear the last  
2                   word.

3                   THE WITNESS: It was under  
4                   the -- it was under the airways  
5                   engineering and Dallah. So I  
6                   don't know exactly.

7                   MR. KRY: Objection to the  
8                   nonresponsive portion.

9 BY MR. POUNIAN:

10                  Q.       Sir, did you know Mohamed  
11                  al-Salmi?

12                  A.       He was the general manager  
13                  for the airways engineering.

14                  Q.       And did you work with him in  
15                  person?

16                  A.       No.

17                  Q.       Did you have occasion to  
18                  talk to him at any time?

19                  A.       About what?

20                  Q.       Anything.

21                  A.       I used to see him on  
22                  occasions. He would say hello to the  
23                  employees.

24                  Q.       Did you have communications

1 with him, you, with Mohamed al-Salmi?

2 A. No. I said no.

3 Q. So you never spoke to  
4 Mohamed al-Salmi yourself?

5 A. About this, about work and  
6 study, no.

7 Q. Did he know you personally?

8 A. He had 5,000 employees. I  
9 don't know. I don't remember.

10 Q. I'm asking, did he know you?

11 MR. BEETAR: No, no. He  
12 said, I don't know if he knows me  
13 or not. He has 5,000 employees,  
14 so I don't know if he knows me or  
15 not.

16 THE WITNESS: No. I told  
17 you he has 5,000 employees. I  
18 know him because he is the general  
19 manager. But whether he knows me,  
20 I don't know.

21 MR. POUNIAN: Let's show the  
22 witness what we marked as  
23 Exhibit-108.

24 MR. SHEN: Steve, can we

1           take a break? It's been an hour  
2           and 40 minutes.

3           MR. POUNIAN: Let me just go  
4           through this exhibit and then  
5           we'll take the break, if we could.

6           If we could just go to the  
7           very last page of this document,  
8           please.

9     BY MR. POUNIAN:

10           Q.     Do you see your name, sir,  
11           at the top, Omar al-Bayoumi?

12           A.     Yes.

13           Q.     And it says AED next to  
14           that.

15           What does AED stand for?

16           A.     I don't know.

17           Q.     It doesn't stand for Airways  
18           Engineering Department?

19           A.     It's possible.

20           Q.     You're not familiar with AED  
21           standing for Airways Engineering  
22           Department?

23           A.     (In English) I forgot all  
24           the English now. I just know -- I forgot

1 some words.

2 (Through Interpreter) I  
3 forgot -- I forgot the English. I don't  
4 remember exactly right now.

5 I haven't used the English  
6 language in 20 years, approximately.

7 Q. All right. Well, at least  
8 the position title here says, Senior data  
9 processing technician.

10 Do you see that, sir?

11 MR. SHEN: Objection to  
12 form. Misstates the document.

13 THE WITNESS: Yes.

14 BY MR. POUNIAN:

15 Q. Did you ever hold that  
16 position with the Presidency of Civil  
17 Aviation, or any employer?

18 A. The Presidency of Civil  
19 Aviation did not have that. It was only  
20 in Dallah.

21 MR. KRY: Objection.

22 Nonresponsive.

23 BY MR. POUNIAN:

24 Q. Did you hold that position,

1 sir, ever, with any employer?

2 MR. KRY: Objection to form.

3 THE WITNESS: That's present  
4 in the contract.

5 BY MR. POUNIAN:

6 Q. Sir, did you ever fulfill  
7 those job duties for that position at any  
8 employer?

9 MR. SHEN: Objection to  
10 form.

11 MR. KRY: Same. Join.

12 THE WITNESS: No. I was in  
13 the secondment.

14 BY MR. POUNIAN:

15 Q. Sir, if we just look at the  
16 bottom of this page, please.

17 Do you see Alp Karli's name  
18 on the right side there?

19 A. (In English) Yes.

20 Q. And he was your -- he was  
21 your supervisor and boss; is that  
22 correct?

23 A. Yes.

24 Q. And it says, Employee's

1 signature.

2 Is that your signature in  
3 the box to the left of Alp Karli?

4 A. Yes.

5 Q. And did you sign this at the  
6 time it was prepared?

7 A. (In English) I don't  
8 remember.

9 Q. But you recognize that as  
10 your signature?

11 A. Yes.

12 MR. POUNIAN: We can take a  
13 break now.

14 VIDEO TECHNICIAN: Going off  
15 the record, 8:45 a.m.

16 - - -

17 (Whereupon, a brief recess  
18 was taken.)

19 - - -

20 VIDEO TECHNICIAN: Back on  
21 the record at 9:07 a.m.

22 BY MR. POUNIAN:

23 Q. Sir, we were just looking at  
24 Exhibit-108.

1                   Where were you when you  
2 signed that document that we reviewed  
3 just before the break?

4                   A.       I think I was in San Diego,  
5 '95.

6                   Q.       And did you sign the form in  
7 San Diego?

8                   A.       I signed the papers, and I  
9 came back.

10                  Oh, I signed the papers, and  
11 they returned the papers again.

12                  Q.       All right. So you signed  
13 the papers in San Diego; is that right?

14                  A.       Yes.

15                  Q.       And then you sent them to  
16 Saudi Arabia?

17                  A.       Yes.

18                  Q.       And where did you send them?

19                  A.       The airways.

20                  Q.       When you met Omar Hammerman,  
21 where was he working?

22                  A.       He was a student.

23                  Q.       Where was he a student?

24                  A.       I think San Diego State

1 University.

2 Q. And is that the school you  
3 attended to learn English?

4 A. I think so.

5 Q. So you and Omar Hammerman  
6 went to the same school at the same time?

7 A. No.

8 Q. I thought you just said that  
9 he went to that school.

10 A. He was studying at San Diego  
11 State University before my arrival.

12 Q. And at the time you first  
13 met him, where was he going -- what was  
14 he doing?

15 A. I met him at the mosque, and  
16 he was studying at the university,  
17 engineering.

18 Q. Which university?

19 A. I think San Diego State  
20 University. I think.

21 Q. And that's the same school  
22 you went to when you first went to San  
23 Diego; is that right?

24 A. Same school, but different

1 institute. It's called American Language  
2 Institute.

3 Q. At the same campus?

4 A. Yes.

5 Q. Did Omar Hammerman become a  
6 friend of yours?

7 A. The meaning of friendship  
8 now changed.

9 Q. Well, what was your  
10 relationship with Omar Hammerman?

11 A. There was no relationship.  
12 We prayed at the mosque.

13 Q. So you say you had no  
14 relationship with him other than praying  
15 at the mosque?

16 A. The relationship changed.  
17 It's different now than before.

18 Before you would meet  
19 someone, and now there's no such thing.

20 Q. Sir, I'm talking about your  
21 relationship with Omar Hammerman in San  
22 Diego when you lived there. That's what  
23 I'm asking about.

24 What was your relationship

1 with Omar Hammerman at that time, when  
2 you were both living in San Diego?

3 A. It was an ordinary  
4 relationship.

5 Q. And what does that mean?

6 A. What I mean by that is that  
7 if I see him, I would say hello. And if  
8 he sees me, he would greet me.

9 Q. And was that -- that was it?

10 A. Yes.

11 Q. Did you have a nickname for  
12 him?

13 A. I don't think so. His name  
14 is Omar Hammerman. That's it.

15 Q. And how often did you see  
16 him?

17 A. On occasion.

18 INTERPRETER AL-HALABI: I'm  
19 sorry, the interpreter misheard.

20 He meant -- he said, during  
21 prayers.

22 BY MR. POUNIAN:

23 Q. So you only saw him at the  
24 mosque is what you're saying?

1                   A.        Yes, I saw him at the  
2 mosque. Yes.

3                   Q.        And did you see him any  
4 other place?

5                   A.        Another place? Like, I  
6 don't know, maybe at a grocery store,  
7 somewhere else. I don't know.

8                   Q.        Did you ever see him -- go  
9 out to dinner with him?

10                  A.        Yes, yes, yes.

11                  Q.        And the two of you were  
12 friends; am I right?

13                  A.        Now the meaning of  
14 friendship changed. What's the meaning  
15 of friendship?

16                  Q.        What does it mean to you to  
17 be a friend to somebody?

18                  A.        Meaning if I got sick, he  
19 would visit me. If I needed, he would  
20 give me. If I made a mistake, he would  
21 correct me. That's the friend.

22                  Q.        And did you have that  
23 relationship with Omar Hammerman?

24                  A.        No. It was more of a simple

1 relationship. He would visit me at my  
2 house, he would eat dinner. I went to  
3 his family's one day with my family.

4 Q. And did Omar Hammerman tutor  
5 your children?

6 A. No.

7 MR. POUNIAN: If we can show  
8 the witness Exhibit-518, please.

9 BY MR. POUNIAN:

10 Q. Before I get there, did Omar  
11 Hammerman help you with your studies in  
12 the United States?

13 A. I don't remember, no.

14 Q. Did he help you with  
15 English?

16 A. Tutor me? No.

17 Q. All right. I'd like to show  
18 you Exhibit-518, please.

19 MR. POUNIAN: And if you  
20 could turn to the next page.

21 MR. SHEN: Steve, if you're  
22 going on the FBI record --

23 MR. POUNIAN: Yes, if we  
24 could, please, go on the FBI

1 record.

2 - - -

3 (FBI Protected Material.)

4 - - -

- Filed publicly -  
Pls. Ex. 12BB\_ppr  
(MPS688)

5 VIDEO TECHNICIAN: One

6 moment.

7 Everyone should be in there.

8 If I did forget anyone, please say  
9 something now. But I think  
10 everyone is in.

11 MR. POUNIAN: If we could  
12 turn to the first page.

13 BY MR. POUNIAN:

14 Q. Can you identify this  
15 document to us, sir?

16 A. Yes, yes.

17 Q. And what is it?

18 A. That's a phone book that was  
19 at the mosque.

20 Q. And it's a phone book you  
21 prepared?

22 A. I prepared it, and I had  
23 volunteers. Whoever wanted to add their  
24 names, they did.

1 (In English) Not volunteers.

2 They would add their names.

3 (Through Interpreter) What I  
4 meant is that this phone book was at the  
5 mosque. Anyone who wanted to add their  
6 names, they did. And later volunteers  
7 would enter it into the computer.

8 Q. And what mosque?

9 A. Al-Madina Mosque.

10 Q. And the first line of this  
11 document says, Omar's phone book.

12 "Omar" refers to you, Omar  
13 al-Bayoumi; am I correct?

14 A. (In English) Yes.

15 Q. And the date is January  
16 26th, 2000.

17 Is that the date you  
18 prepared this phone list?

19 A. (In English) Yes. In the  
20 beginning. After that, you know,  
21 updating.

22 (Through Interpreter) Yes.

23 In the beginning. But then after that,  
24 it was renewed. So the volunteers would

1 add names or take off names.

2 Q. But you prepared the  
3 original typed version of this document;  
4 am I correct?

5 A. I did not enter all of it.

6 Q. Can you explain that, sir?

7 A. I mean, for example, the  
8 first ten names, I entered it. Then  
9 someone else came after me and entered  
10 and such. It depends. For example --  
11 that's just for example.

12 Q. Well, who else was preparing  
13 this document, sir?

14 A. A group of helpers, young  
15 men, volunteers helping in the community.

16 Q. Who typed the document?

17 A. I don't know. But in the  
18 beginning, it's my name. Then there was  
19 additions and subtractions. Anybody can  
20 add or take off.

21 Q. Okay. You prepared the  
22 original draft of this document; am I  
23 correct, sir?

24 MR. SHEN: Objection to

1 form. What -- objection.

2 THE WITNESS: Original

3 document, what's the limits?

4 Because I see other names on it.

5 MR. BEETAR: I have to  
6 rephrase that.

7 He said, like, what do you  
8 mean by original names? And what  
9 do you mean by that? Because I  
10 have many additions to it.

11 BY MR. POUNIAN:

12 Q. Sir, do you see the  
13 handwriting on this document?

14 A. Yes.

15 Q. Do you recognize your  
16 handwriting?

17 A. Yes.

18 Q. And is all of the  
19 handwriting here your handwriting?

20 A. (In English) No.

21 (Through Interpreter) No.

22 Q. And can you identify what  
23 handwriting is not your handwriting?

24 A. (In English) Sandine, that's

1 not my handwriting.

2 Q. So what's just highlighted  
3 on the screen there, that's not yours?

4 A. (In English) No.

5 Q. What else?

6 A. (In English) I think this  
7 one is not my handwriting, this one here.

8 Q. Which one are you talking  
9 about?

10 A. (In English) I'm using my  
11 finger.

12 Q. Well, read it out loud to  
13 us, please.

14 A. This, what it says, it's  
15 written in Arabic. It's written in  
16 Arabic.

17 Q. Is that -- is that what  
18 you're referring to, what has just been  
19 circled on the screen?

20 A. (In English) I'm not sure,  
21 but can you get down a little bit? Get  
22 down a little bit. No. Down. Down.

23 INTERPRETER Al-HALABI: If  
24 we can go down.

1 THE WITNESS: (In English)

2 Go up. Go up. This one here, not  
3 my handwriting.

4 BY MR. POUNIAN:

5 Q. Which one?

6 A. (In English) Some of them.

7 This one is, okay.

8 Q. Well, we don't know -- we  
9 need to -- can you tell us on the record,  
10 sir, please, the numbers that are not  
11 your handwriting?

12 You've identified --

13 A. (In English) This one.

14 Q. You've identified --

15 A. The one that is circled in  
16 red.

17 Q. All right. That's not your  
18 handwriting. We've already gone through  
19 that one.

20 What else?

21 A. I'm not sure. I'm not clear  
22 about the second one in the red.

23 Q. So the second one may or may  
24 not be your handwriting, the one on the

1 lower left right now on the screen; is  
2 that right?

3 A. (In English) Yes. I'm not  
4 sure if this one is my handwriting or  
5 not, no.

6 Q. You're not sure.

7 But everything else on there  
8 is your handwriting, is that right,  
9 except for what we've marked already?

10 MR. SHEN: Objection.

11 THE WITNESS: Yes.

12 MR. SHEN: You're referring  
13 to the first page, which is the  
14 only one you're showing him?

15 MR. POUNIAN: That's  
16 correct, for the time being.

17 BY MR. POUNIAN:

18 Q. What computer did you use to  
19 prepare this phone book?

20 MR. SHEN: Objection.

21 THE WITNESS: The computer  
22 that was in the mosque.

23 BY MR. POUNIAN:

24 Q. And was that a computer

1       that -- a computer that you used at the  
2       mosque?

3           A.       We had two computers at the  
4       mosque.

5           Q.       And what were those two  
6       computers used for?

7           A.       For the purpose of writing.

8           Q.       And was there -- was this  
9       computer located at your desk?

10          A.       We had two offices.

11          Q.       And did you have an office?

12          A.       Yes.

13          Q.       And was this -- the computer  
14       where this phone book was written, was  
15       this in your office?

16          A.       I do not know. I'm not sure  
17       if it was in the office or the other  
18       office or on the papers outside. Because  
19       there is a sheet on which all the guests'  
20       names are written and then they are  
21       inputted on this.

22          Q.       And you input them into the  
23       computer?

24          A.       As I already explained, I am

1 not the only one who would be inputting  
2 this information. There were volunteers  
3 that would come and help, youth that  
4 would come and help with the cleaning,  
5 with the inputting, with the writing,  
6 with food prepping.

7 Q. Who prepared the first draft  
8 of this phone book, sir?

9 A. I do not know. But at the  
10 beginning, it was I.

11 Q. You prepared the first  
12 draft; am I correct?

13 MR. SHEN: Objection as to  
14 timeframe.

15 You can answer if you  
16 understand it.

17 THE WITNESS: I do not know.

18 BY MR. POUNIAN:

19 Q. You said "at the beginning,  
20 it was I."

21 The beginning, you, Omar  
22 al-Bayoumi, prepared the phone book  
23 draft, right?

24 MR. SHEN: Objection.

1                   Timeframe.

2                   THE WITNESS: (In English)

3                   Omar's phone book, January 26,  
4                   2000, yes.

5                   (Through Interpreter)

6                   January 26, 2000, yes.

7                   MR. POUNIAN: Let's go to  
8                   the second page, please.

9                   BY MR. POUNIAN:

10                  Q.       Do you recognize this  
11                  handwriting, sir?

12                  A.       (In English) Yes.

13                  Q.       And that's your handwriting?

14                  A.       Yes.

15                  MR. POUNIAN: Let's go to  
16                  the next page. And the next.

17                  BY MR. POUNIAN:

18                  Q.       Do you recognize this  
19                  handwriting, sir?

20                  A.       Yes.

21                  Q.       And whose handwriting is  
22                  that?

23                  A.       My handwriting.

24                  Q.       All right.

1 MR. POUNIAN: Let's go to  
2 the next page. Highlight the  
3 handwriting there.

4 BY MR. POUNIAN:

5 Q. Is that your handwriting?

6 A. Yes, yes.

7 Q. All right.

8 MR. POUNIAN: Let's look  
9 down the page and see if there's  
10 more handwriting.

11 BY MR. POUNIAN:

12 Q. Is that your handwriting,  
13 the number [REDACTED]?

14 A. Yes.

15 Q. It is?

16 A. Yes.

17 MR. POUNIAN: If we can go  
18 to the next page.

19 BY MR. POUNIAN:

20 Q. Something that looks upside  
21 down there on the screen here, do you  
22 recognize that, sir?

23 A. No.

24 Q. You can't tell one way or

1 another; is that right?

2 MR. SHEN: Objection.

3 THE WITNESS: This is not my  
4 handwriting.

5 BY MR. POUNIAN:

6 Q. Okay.

7 MR. POUNIAN: Can we go to  
8 the next page?

9 BY MR. POUNIAN:

10 Q. Do you recognize the  
11 handwriting on this page as your  
12 handwriting?

13 A. Yes.

14 Q. Okay.

15 MR. POUNIAN: And let's go  
16 to the next page.

17 BY MR. POUNIAN:

18 Q. Is that your handwriting?

19 A. Yes.

20 Q. And that number?

21 A. (In English) Flip it.

22 (Through Interpreter) I do  
23 not know.

24 Q. Okay.

1 MR. POUNIAN: Can we go to  
2 the next page? And the last page.

3 BY MR. POUNIAN:

4 Q. Is that your handwriting?

5 A. Yes.

6 MR. POUNIAN: If we could  
7 turn to Page 1299. And if we  
8 could just highlight Omar  
9 Hammerman, please.

10 BY MR. POUNIAN:

11 Q. Did you put that number in  
12 the phone book?

13 A. (In English) I'm not sure.  
14 As I told you before, sometimes we have  
15 sheets, anybody can put their names in  
16 it.

17 (Through Interpreter) We had  
18 sheets where anybody can input the  
19 numbers. But had I put it myself? I  
20 don't remember.

21 Q. What do you mean by -- what  
22 do you mean by a "sheet"?

23 A. (In English) Several sheets  
24 for anybody to put his, for example, name

1 or his -- what do you call it -- comment  
2 about the mosque or something like that.

3 (Through Interpreter) Upon  
4 which any of the guests can write remarks  
5 regarding the mosque or their input  
6 regarding the mosque or their telephone  
7 number or their cell phone number.

8 Q. And then you took various  
9 information and prepared the first draft  
10 of this document, right?

11 INTERPRETER MIKHAIL:

12 Interpreter will repeat.

13 THE WITNESS: There wasn't  
14 necessarily a draft. We were just  
15 writing it down, that's all.

16 MR. SHEN: For the court  
17 reporter, there was an objection  
18 to the last question.

19 BY MR. POUNIAN:

20 Q. This is -- this was typed  
21 into a computer by you when it was first  
22 prepared; am I correct?

23 MR. SHEN: Objection to  
24 form. Misstates the prior

1 testimony.

2 INTERPRETER MIKHAIL:

3 Interpreter will repeat.

4 THE WITNESS: So at the  
5 beginning, I started it. Omar's  
6 phone book, something, and then  
7 after that anybody can add on  
8 information to the phone book.

9 BY MR. POUNIAN:

10 Q. When did you start the phone  
11 book?

12 A. I don't remember.

13 Q. Well, the first version we  
14 have is this one of January 26th, 2000.

15 Am I correct that that's the  
16 first version of the phone book?

17 A. Honestly, I don't remember.  
18 It's written.

19 MR. SHEN: There's an  
20 objection to the last question,  
21 for the court reporter.

22 BY MR. POUNIAN:

23 Q. And when you say "it's  
24 written," what do you mean by that?

1                   A.       So it is clear, it's  
2 written. At the beginning, I started it,  
3 and then later on more information was  
4 entered by volunteers. I also continued  
5 to enter information, but not all  
6 information was entered by I.

7 Q. And who are these volunteers  
8 that you're referring to?

9                   A.        A group of volunteers,  
10 basically the sons of the families that  
11 frequent the mosque.

Q. And can you name them?

13                   A.        (In English) I don't  
14 remember anyone.

(Through Interpreter) I  
don't remember any of them.

17 Q. So you can't give us a name  
18 of anyone that you're referring to?

19                   A.         Honestly, I don't remember.  
20       I don't remember any of them because a  
21       period of time was very short.

22 Q. What period of time was  
23 short?

#### A. The period of time during

1 which I was present at the mosque.

2 MR. POUNIAN: If we could  
3 put before the witness

4 [REDACTED]

5 [REDACTED]

6 [REDACTED] [REDACTED]

7 BY MR. POUNIAN:

8 Q. [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 A. [REDACTED]

14 Q. [REDACTED]

15 [REDACTED]

16 A. [REDACTED]

17 Q. [REDACTED]

18 [REDACTED]

19 A. [REDACTED]

20 Q. [REDACTED]

21 [REDACTED]

22 A. [REDACTED]

23 Q. [REDACTED]

24 [REDACTED]

[REDACTED]

1 [REDACTED]

2 A. [REDACTED] [REDACTED]

3 [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED]

14 Q. [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 MR. SHEN: [REDACTED] [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 MR. POUNIAN: [REDACTED] [REDACTED]

24 [REDACTED]

[REDACTED]

REDACTED FOR PUBLIC FILING

1 [REDACTED]

2 MR. SHEN: [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 MR. POUNIAN: [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 THE WITNESS: [REDACTED]

14 [REDACTED]

15 MR. POUNIAN: If we could  
16 just go back to Exhibit-518 for a  
17 second here.

18 BY MR. POUNIAN:

19 Q. You said that the -- the one  
20 item of handwriting that you said was not  
21 yours, Sandine, on the right here.

22 Do you see that, sir?

23 A. Yes.

24 Q. Do you know whose

1 handwriting that is?

2 A. I do not know.

3 Q. Sir, did you have a business  
4 relationship with a company called Ercan?

5 A. Ercan is a subcontractor at  
6 ANSS.

7 Q. And did you have a business  
8 relationship with Ercan?

9 A. No.

10 Q. Did you do any work with  
11 Ercan at any time?

12 A. No.

13 Q. Did you have any contact  
14 with Ercan at any time?

15 A. I do not remember.

16 Q. Was there a person at Ercan  
17 that you knew?

18 A. Know him? No.

19 Q. Was there anyone at Ercan  
20 that you knew?

21 A. No. Remember him? No. But  
22 I remember that it was the subcontractor.

23 Q. Was there any individual  
24 person that you knew at Ercan?

1 A. No.

2 MR. POUNIAN: If we can turn  
3 on this document in front of us to  
4 Page 1297, it's the fifth PDF  
5 page.

6 Look at the very top. If we  
7 can highlight Ercan down to  
8 Newport Beach, just that portion  
9 of it, please.

10 BY MR. POUNIAN:

11 Q. Did you put this phone  
12 number in the phone book, sir, for Ercan?

13 A. Yes.

14 Q. And there's a person's name  
15 here, Magdi Hanna.

16 Who is Magdi Hanna?

17 A. (In English) Maybe he's from  
18 Ercan.

19 (Through Interpreter) Maybe  
20 he's from Ercan.

21 Q. Do you know Magdi Hanna?

22 A. No.

23 Q. Do you know a man named  
24 Magdi Hanna, M-A-G-D-I Hanna?

1 A. No.

2 Q. Did you ever have occasion  
3 to meet Magdi Hanna?

4 A. Not at all.

5 Q. Did you speak to Magdi Hanna  
6 on the telephone?

7 A. I don't remember.

8 Q. Why is Ercan's phone number  
9 in your phone book?

10 A. Perhaps during the period of  
11 time they paid tuition fees or studying  
12 fees, or something along the lines,  
13 because they were a subcontractor for  
14 ANSS.

15 Q. What do you remember, sir,  
16 regarding why Ercan is in your phone  
17 book?

18 A. Like I mentioned at the  
19 beginning, perhaps I'm the one who wrote  
20 down the name, and one of the volunteers  
21 inputted it into the phone book.

22 All the names written here,  
23 I'm the one who wrote them.

24 Q. Well, you said you wrote

1 this into the phone book. And you  
2 provided driving directions to Ercan.

3 Did you drive to Ercan, sir?

4 MR. SHEN: Objection to  
5 form.

6 THE WITNESS: I don't  
7 remember.

8 BY MR. POUNIAN:

9 Q. Well, who wrote these  
10 driving directions on this -- in this  
11 phone book?

12 A. I do not remember.

13 Q. Did you ever go to Newport  
14 Beach?

15 A. No.

16 Q. Did you ever collect money  
17 from Ercan?

18 A. Collect money? No.

19 Q. Did you ever meet any  
20 employees of Ercan?

21 INTERPRETER MIKHAIL: Please  
22 repeat the question, counsel. Did  
23 you ever --

24 BY MR. POUNIAN:

1 Q. Did you ever meet any  
2 employees of Ercan?

3 A. I do not remember.

4 Q. Did you have any  
5 conversations with anyone at PCA about  
6 Ercan?

7 A. I do not remember, no.

8 Q. Did you ever have any  
9 conversations with Alp Karli about Ercan?

10 A. I do not know, no.

11 MR. POUNIAN: [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 - - -

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 - - -

19 BY MR. POUNIAN:

20 Q. [REDACTED]

21 [REDACTED]

22 MR. SHEN: [REDACTED]

23 [REDACTED]

24 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 MR. KRY: [REDACTED]

5 [REDACTED]

6 MS. INT-HOUT: [REDACTED]

7 [REDACTED] [REDACTED]

8 MR. SHEN: [REDACTED]

9 [REDACTED]

10 MR. POUNIAN: [REDACTED]

11 MR. SHEN: [REDACTED]

12 MR. POUNIAN: [REDACTED]

13 [REDACTED] [REDACTED]

14 MR. SHEN: [REDACTED]

15 MR. POUNIAN: [REDACTED]

16 MR. SHEN: [REDACTED] [REDACTED]

17 [REDACTED]

18 BY MR. POUNIAN:

19 Q. [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

1

INTERPRETER MIKHAIL: [REDACTED]

2 [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED]

5 MR. SHEN: [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 THE WITNESS: [REDACTED]

10 [REDACTED] [REDACTED]

11 [REDACTED]

12 [REDACTED] [REDACTED]

13 BY MR. POUNIAN:

14 Q. [REDACTED]

15 INTERPRETER MIKHAIL: [REDACTED]

16 MR. POUNIAN: [REDACTED]

17 THE WITNESS: [REDACTED]

18 [REDACTED]

19 BY MR. POUNIAN:

20 Q. [REDACTED]

21 A. [REDACTED]

22 Q. [REDACTED]

23 A. [REDACTED]

24 [REDACTED]

1 Q. [REDACTED]

2 [REDACTED]

3 A. [REDACTED]

4 MR. POUNIAN: [REDACTED]

5 [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED] [REDACTED]

10 [REDACTED] [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED]

16 BY MR. POUNIAN:

17 Q. [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

1 [REDACTED]

2 A. [REDACTED]

3 Q. [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 MR. SHEN: [REDACTED] [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 THE WITNESS: [REDACTED]

11 [REDACTED] [REDACTED]

12 [REDACTED] [REDACTED]

13 MR. POUNIAN: [REDACTED]

14 [REDACTED]

15 [REDACTED] [REDACTED]

16 [REDACTED]

17 - - -

18 [REDACTED]

19 [REDACTED]

20 - - -

21 MR. POUNIAN: [REDACTED]

22 [REDACTED]

23 - - -

24 [REDACTED]

[REDACTED]

1                   al-Bayoumi-680, No Bates,  
2                   Immigration Form, Status - For  
3                   Academic and Language Students,  
4                   was marked for identification.)  
5                   - - -

6 BY MR. POUNIAN:

7                   Q.       Sir, do you recall  
8                   submitting an immigration form to the  
9                   United States regarding your residency in  
10                  the United States?

11                  A.       To immigrate to the United  
12                  States? No, no.

13                  MR. KRY: Can we get an  
14                  exhibit number for the document,  
15                  please?

16                  MR. POUNIAN: Yes. What is  
17                  the exhibit number?

18                  COURT REPORTER: 680.

19                  MR. POUNIAN: 680. Thank  
20                  you.

21                  MR. SHEN: Steve, what's the  
22                  Bates number of the document?

23                  MR. POUNIAN: It does not  
24                  have a Bates number. It's from

1                   the USIU production. It's from  
2                   their production as PDFs 30 and  
3                   31.

4                   MS. PRITSKER: Hi, this is  
5                   Gabrielle Pritsker counsel on  
6                   behalf of Dubai Islamic Bank. I  
7                   just wanted to note that we were  
8                   excluded from the deposition at  
9                   approximately 9:21 a.m. Eastern  
10                  and were permitted to return at  
11                  10:02 a.m. Thank you.

12                  MR. POUNIAN: That's because  
13                  we discussed FBI documents.

14                  MR. SHEN: And, Steve, these  
15                  have all been produced to us?

16                  MR. POUNIAN: It has been  
17                  produced, yes. And it should be  
18                  available now in the download.

19                  MR. NITZ: Andy, I think the  
20                  Bates number that we received it  
21                  from plaintiffs with was PEC-KSA  
22                  1-30.

23 BY MR. POUNIAN:

24 Q.               Sir, did you have a visa to

1 enter the United States?

2 A. Yes.

3 Q. And it was a -- when you  
4 came and lived in San Diego at first, you  
5 had a student visa; is that correct?

6 A. Yes.

7 Q. And to support your student  
8 visa, you had to provide proof from the  
9 schools that you attended?

10 A. Yes.

11 Q. And did you submit proof  
12 regarding your attendance at schools in  
13 the United States to the U.S. Immigration  
14 Service?

15 A. Yes.

16 Q. Now, this particular form,  
17 the copy that was -- this copy was  
18 provided to us by United States  
19 International University.

20 Did you attend that school?

21 A. Yes.

22 Q. And can you look at this  
23 form, sir, and tell us whether you  
24 submitted this to the United States as

1 part -- in support of your student visa?

2 A. Yes.

3 Q. Now, this form states that

4 you were receiving --

5 MR. POUNIAN: If we could

6 scroll down.

7 BY MR. POUNIAN:

8 Q. It says that you were  
9 receiving funds from another source, if  
10 we look at 8C. And it describes that as  
11 a sponsor, Ercan.

12 Do you see that, sir?

13 A. Yes.

14 (In English) As I mentioned  
15 before, Ercan is a subcontractor with the  
16 ANSS. And they try to -- if you get up a  
17 little bit. Go up a little bit.

18 INTERPRETER MIKHAIL: Scroll  
19 up.

20 THE WITNESS: (In English)  
21 The document, yes, scroll up.

22 You find they need some --  
23 to fill some form for the United  
24 States International University,

1                   and Ercan did it.

2 BY MR. POUNIAN:

3                   Q.       And the form states that you  
4 received -- you were receiving funds from  
5 Ercan?

6                   A.       (In English) No, they  
7 didn't -- they, I think, once or twice  
8 paid for tuition fees or something like  
9 that. But they didn't continue to  
10 provide --

11                  Q.       Sir, the form states that  
12 the funds were received from Ercan; am I  
13 correct?

14                  8C says, Funds from another  
15 source, \$27,858.00 from Ercan.

16                  A.       Okay. So this form was  
17 filled for the university --

18                  INTERPRETER MIKHAIL: The  
19 interpreter needs to clarify.

20                  THE WITNESS: So I will  
21 explain.

22                  This form is at the  
23 university and is being filled for  
24 the purpose of continuing the

1                   education. It does mention here  
2                   that the sponsor is Ercan. They  
3                   probably filled it. To continue  
4                   the education, the money was paid.  
5                   They paid a tuition, but not  
6                   necessarily here, probably at a  
7                   different place.

8                   I did not receive the money  
9                   directly, it was paid for the  
10                  tuition.

11                  BY MR. POUNIAN:

12                  Q.        Sir, did you get money from  
13                  Ercan?

14                  MR. SHEN: Objection. You  
15                  mean was he personally -- did he  
16                  personally receive money?

17                  MR. POUNIAN: Did he ever  
18                  receive any money, either directly  
19                  or indirectly, from Ercan.

20                  MR. SHEN: Objection to  
21                  form.

22                  THE WITNESS: No, I don't  
23                  remember. I don't remember.

24                  INTERPRETER MIKHAIL: The

1 interpreter corrects.

2 I don't remember.

3 BY MR. POUNIAN:

4 Q. The statement on this form  
5 that there were funds from other sources  
6 to pay for your school of \$27,858; is  
7 that a false statement?

8 A. This form mentions the cost  
9 up to 12 months of tuition. The full  
10 tuition for the 12 months would be  
11 \$27,858. But I paid it myself.

12 MR. HAEFELE: Objection to  
13 form. Nonresponsive.

14 MR. SHEN: I don't know what  
15 that objection was, but go ahead.

16 THE WITNESS: This form  
17 mentions the cost of the tuition,  
18 the complete cost for up to 12  
19 months. But then every student  
20 would pay -- I would pay each  
21 semester on its own.

22 So every few months I would  
23 pay for each semester's tuition.

24 BY MR. POUNIAN:

1 Q. So this form says the funds  
2 are coming from another source, not from  
3 you but from another source, and it  
4 identifies that source as Ercan.

5 Is that statement false?

6 MR. SHEN: Objection to the  
7 form.

8 THE WITNESS: I do not know.

9 MR. POUNIAN: Let's go to  
10 the next page of this document,  
11 please.

12 BY MR. POUNIAN:

13 Q. This is a letter from --  
14 that was also submitted to the school,  
15 the United States International  
16 University.

17 MR. POUNIAN: If we could  
18 just highlight the top, the text  
19 of the letter, please. And the  
20 signature also.

21 Thank you.

22 BY MR. POUNIAN:

23 Q. So this states that, This  
24 letter is to confirm that Ercan has been

1 supporting Mr. Omar al-Bayoumi since the  
2 start of this year.

3 MR. POUNIAN: Can we get the  
4 date here, please? Can we get the  
5 date on the letter?

6 BY MR. POUNIAN:

7 Q. January 22nd, 1997.

8 And that Ercan has been  
9 providing \$4,000 a month to support his  
10 educational program and it would continue  
11 to do so until the year 2000.

12 Do you see that, sir?

13 Have you seen this letter  
14 before?

15 A. No.

16 Q. How did it end up in your  
17 educational file?

18 MR. SHEN: Objection to  
19 form. Objection. You mean the  
20 documents produced by the  
21 university?

22 MR. POUNIAN: Yeah. I'm  
23 just wondering, does he know  
24 how -- did he submit this to the

1 university.

2 MR. SHEN: Okay.

3 THE WITNESS: I did not  
4 submit it.

5 And let me explain to you.

6 Ercan was a subcontractor. They  
7 wrote this letter to the  
8 university on the premises that I  
9 would continue with my education.

10 But I am the one who was paying  
11 the tuition.

12 BY MR. POUNIAN:

13 Q. Who asked -- who asked Ercan  
14 to submit this letter?

15 MR. SHEN: Foundation.

16 THE WITNESS: I do not know.

17 BY MR. POUNIAN:

18 Q. Did you ask?

19 A. No. They told me at the  
20 division that Ercan is going to make sure  
21 that the -- you continue going to  
22 university, but you have to pay the cost.

23 But Ercan did pay during --  
24 or, for a period of time, the tuition

1 fees.

2 Q. Who told you that at the  
3 division?

4 A. The finance department.

5 Q. Who told you?

6 A. I don't remember exactly.

7 Q. Was it Alp Karli who told  
8 you that?

9 A. I don't remember if it was  
10 Alp Karli, Basharahil. I don't remember.

11 Q. [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 MR. SHEN: [REDACTED]

16 [REDACTED]

17 THE WITNESS: [REDACTED]

18 BY MR. POUNIAN:

19 Q. So you're stating -- your  
20 testimony is that this letter of Magdi  
21 Hanna is false?

22 MR. SHEN: Objection to  
23 form.

24 THE WITNESS: It's incorrect

1                   in mentioning the money, the 4,000  
2                   a month. That's incorrect.

3                   But it's a letter for the  
4                   university for me to continue my  
5                   education only.

6 BY MR. POUNIAN:

7 Q.               Your testimony is that it's  
8 not correct that Ercan was providing you  
9 with money on a regular basis; is that  
10 right?

11 MR. SHEN: Objection to  
12 form.

13 MR. KRY: It misstates the  
14 testimony.

15 THE WITNESS: Ercan was not  
16 paying me, on a regular basis, to  
17 finish my education.

18 BY MR. POUNIAN:

19 Q.               Were they paying you  
20 anything at all?

21 MR. SHEN: Objection to  
22 form. Directly? Indirectly? To  
23 the university?

24 BY MR. POUNIAN:

1 Q. Who do you -- who at -- who  
2 asked Ercan to send this letter?

3 MR. SHEN: Objection.

4 Foundation. Asked and answered.

5 THE WITNESS: I don't know.

6 BY MR. POUNIAN:

7 Q. Was it -- it wasn't you, but  
8 it was someone at PCA; am I correct?

9 MR. SHEN: Objection.

10 Foundation. Asked and answered.

11 THE WITNESS: No. PCA has  
12 nothing to do with it. I wasn't  
13 in PCA. I was in Dallah.

14 MR. KRY: Objection.

15 Nonresponsive.

16 BY MR. POUNIAN:

17 Q. Sir, I'm asking -- you  
18 said -- you testified earlier that  
19 someone was in touch with Ercan --  
20 someone in Saudi Arabia was in touch with  
21 Ercan regarding your -- regarding you?

22 MR. SHEN: Objection to  
23 form.

24 THE WITNESS: I don't know.

1           But I know that they told me that  
2           they will -- they will send a  
3           letter to the university to  
4           complete --

(In English) Ercan will send a letter to the university.

12 BY MR. POUNIAN:

13 Q. And who told you that?

14 A. The department told me.

15 Q. So someone at the department  
16 was in touch with Ercan for them to send  
17 a letter to the school; am I right?

18                   A.        Yes.   There must be  
19   somebody.

20 Q. And who would have done  
21 something like that?

22 MR. SHEN: Objection.

23 Speculation.

24 THE WITNESS: (In English) I

1                   don't know.

2 BY MR. POUNIAN:

3                   Q.       Well, you identified the two  
4 people as either Alp Karli or Mr.  
5 Basharahil; is that right?

6                   MR. SHEN: Objection.

7                   Misstates his testimony.

8                   THE WITNESS: I mentioned  
9 them because of the communications  
10 with Ercan or the division itself.  
11 But I never said that they sent --  
12 that they sent it. I'm a student,  
13 I don't know who signed it.

14                  But I knew that Ercan was  
15 going to send the form to the  
16 university for me to continue my  
17 education. But I was going to pay  
18 the expenses.

19 BY MR. POUNIAN:

20                  Q.       And you knew that because  
21 either Alp Karli or Mr. Basharahil told  
22 you that?

23                  MR. SHEN: Objection to  
24 form.

1                           THE WITNESS: They called me  
2                           from the division. I don't know  
3                           who it was, if it was Basharahil,  
4                           Alp Karli, somebody else. I don't  
5                           know.

6 BY MR. POUNIAN:

7 Q.                  Who else would it have been?  
8                          MR. SHEN: Calls for  
9                          speculation.

10                         THE WITNESS: I don't  
11                         remember.

12 BY MR. POUNIAN:

13 Q.                  Can you name anyone else in  
14 the department that may have called you  
15 on such a subject?

16                         MR. SHEN: Objection.  
17                         Speculation.

18                         THE WITNESS: No.

19 BY MR. POUNIAN:

20 Q.                  Sir, when did you last  
21 attend -- when was the last time you  
22 attended United States International  
23 University?

24 A.                  (In English) I think in

1 1997.

2 (Through Interpreter) I  
3 think 1997.

4 Q. And when during 1997 did you  
5 take your last class?

6 A. I don't remember.

7 Q. And what courses -- what  
8 schools did you attend after 1997?

9 A. (In English) I think many  
10 universities and the institutes to --

11 (Through Interpreter) I  
12 attended many institutes and universities  
13 in the United States. I don't remember  
14 exactly. If you could show me papers or  
15 something like that, so I can recognize  
16 it.

17 Q. Sir, the reason I'm asking  
18 is we don't show that you earned any  
19 credits from any school after 1997.  
20 That's why I'm asking you the question.

21 MR. SHEN: Objection to  
22 form.

23 BY MR. POUNIAN:

24 Q. Did you attend --

1 MR. KRY: Objection. Join.

2 BY MR. POUNIAN:

3 Q. -- any school after 1997?

4 A. I don't know.

5 He said -- or he's saying I

6 didn't receive any degrees or

7 certificates. That's his question.

8 But I'm telling you I  
9 attended many universities and institutes  
10 and took many courses, training courses.  
11 And I received many degrees after that  
12 date.

13 Q. What courses did you attend  
14 in the United States after that date?

15 MR. SHEN: What date are you  
16 talking about?

17 MR. POUNIAN: 1997.

18 MR. SHEN: What date?

19 MR. POUNIAN: The date he  
20 left United States International  
21 University.

22 MR. SHEN: Objection. You  
23 haven't established a specific  
24 date.

1                    You can answer if you  
2                    understand the question.

3                    THE WITNESS: What's the  
4                    question?

5                    INTERPRETER AL-HALABI:

6                    Would you like me to repeat the  
7                    question?

8                    MR. POUNIAN: Please repeat  
9                    the question.

10                  I'll restate the question.

11 BY MR. POUNIAN:

12 Q.                What courses did you attend  
13 after you -- after 1997 when you finished  
14 studies at United States International  
15 University?

16 A.                I enrolled in the  
17 university, to graduate school, so I can  
18 study accounting.

19                    I also attended -- there was  
20 a program -- a Master's program at George  
21 Washington University in project  
22 management.

23 Q.                Sir, the accounting program  
24 you mentioned, you didn't get any credit

1 for that, did you, sir?

2 A. Yes. The subjects were very  
3 dry. But I enrolled in George Washington  
4 University. I got a degree from George  
5 Washington University, project  
6 management. I got many, many degrees  
7 from community colleges during that time  
8 period.

9 MR. HAEFELE: Nonresponsive.

10 BY MR. POUNIAN:

11 Q. What community colleges are  
12 you referring to?

13 A. San Diego.

14 Q. Which college?

15 A. It was many colleges in  
16 Mesa. Colleges -- I forgot now the  
17 colleges I studied at, at the community  
18 college. But I --

19 THE WITNESS: (In English)

20 Excuse me. Not many colleges, no.

21 A few colleges, but many courses.

22 (Through Interpreter) I  
23 received many courses at community  
24 college in San Diego in more than

1                               one college.

2                               BY MR. POUNIAN:

3                               Q.          What colleges?

4                               A.          I don't remember exactly,  
5                               but if you look at my C.V., it's there.

6                               Q.          What colleges, sir?

7                               MR. SHEN: Objection. Asked  
8                               and answered. That's the exact  
9                               same question you just asked.

10                              MR. POUNIAN: I know. I  
11                               didn't get an answer.

12                              MR. SHEN: He just answered  
13                               it. He doesn't know. Look at his  
14                               C.V.

15                               BY MR. POUNIAN:

16                               Q.          What courses did you take,  
17                               sir?

18                               A.          What's the question?

19                               Q.          What courses did you take at  
20                               the community colleges that you  
21                               mentioned?

22                               A.          (In English) A different  
23                               level of English.

24                               (Through Interpreter)

1 Different level in English. And I also  
2 got certificates in business and  
3 computer.

4 Q. And when was that?

5 A. You mean when that happened?

6 Q. Yes.

7 A. I don't remember. I don't  
8 remember exactly. But it's in the C.V.

9 MR. POUNIAN: If we could  
10 show the witness KSA 907, please.

11 - - -

12 (Whereupon, Exhibit  
13 al-Bayoumi-681, KSA0000000907,  
14 Various Bates, George Washington  
15 University Transcript, Various  
16 Education Certificates, was marked  
17 for identification.)

18 - - -

19 BY MR. POUNIAN:

20 Q. Sir, is this the document  
21 you referred to as -- is this the course  
22 that you were referring to as the  
23 Master's program at George Washington  
24 University?

1 MR. SHEN: What exhibit?

2 THE WITNESS: Yes.

3 COURT REPORTER: 681.

4 MR. SHEN: Thank you.

5 BY MR. POUNIAN:

6 Q. Sir, this was not a Master's  
7 Degree program; am I correct?

8 A. This is called Master's  
9 certificate, Master's certificate, yes.

10 Q. It's a continuing education  
11 course; is that right?

12 A. I don't know what it's  
13 called now. I forgot. I forgot many  
14 things.

15 Q. And where did you take these  
16 continuing education classes?

17 A. In Washington and San Diego.

18 Q. And how long would each one  
19 of these classes take?

20 A. (In English) You will find  
21 it here in the -- I don't know.

22 Q. Was it a matter of, like,  
23 several days? Over a weekend?

24 A. (In English) Yes.

1 (Through Interpreter) Yes.

2 Q. All right, sir.

3 MR. POUNIAN: We can take  
4 that down.

5 Why don't we take a break  
6 now, if we could.

7 VIDEO TECHNICIAN: We're  
8 going to go off the record at  
9 10:41 a.m.

10 - - -

11 (Whereupon, a brief recess  
12 was taken.)

13 - - -

14 VIDEO TECHNICIAN: We're  
15 back on the record at 11:02 a.m.

16 MR. POUNIAN: If we could  
17 mark as the next exhibit the  
18 witness's C.V.

19 - - -

20 (Whereupon, Exhibit  
21 al-Bayoumi-682, No Bates,  
22 Curriculum Vitae of Omar  
23 al-Bayoumi, was marked for  
24 identification.)

1

- - -

2 MR. POUNIAN: We can turn to  
3 the next page of that. Actually,  
4 the next page.

5 Actually, do you have the  
6 Arabic page for the witness?

7 BY MR. POUNIAN:

8 Q. Sir, this is a document that  
9 was provided to us as the resume -- as  
10 your resume.

11 Can you tell us where it  
12 shows that you -- the schools that you  
13 attended in the United States?

14 MR. SHEN: I think maybe if  
15 you let the witness look at the  
16 entire document instead of part of  
17 it.

18 THE WITNESS: (In English)  
19 Hold on a second.

20 Sorry about that.

21 Yes?

22 INTERPRETER MIKHAIL: The  
23 interpreter will repeat the  
24 question.

5 I did receive a Master's  
6 from the United States  
7 International University, and it's  
8 not mentioned herein.

9 BY MR. POUNIAN:

Q. We discussed that earlier.

11 That was in 1997 --

12 A. (In English) Yes.

13 Q. -- I was asking you where  
14 you attended school after that. And you  
15 mentioned there were community colleges.  
16 And I asked you for the names, and you  
17 said they were on your resume.

18 And we're looking at your  
19 resume, and there's no names there.

<sup>20</sup> That's why I'm asking the question.

21 MR. SHEN: Objection.

22 Mischaracterizes the document.

23 THE WITNESS: Yes. But this  
24 version is supposed to be more

1                   updated than this one. A  
2                   different one, another one.

3 BY MR. POUNIAN:

4 Q.               This was the one that was  
5 given to us.

6 A.               Perhaps that was the version  
7 that was there. Okay.

8                   So I'm pointing to it on the  
9 page, the last point on the page. It  
10 says, Management administration of small  
11 projects, Microsoft PowerPoint, community  
12 college, San Diego, United States, 1998,  
13 1999.

14 Q.               And what school was that?

15 A.               A community college.

16 Q.               What community college?

17 A.               It was a community college  
18 in Mesa district. There are many. I  
19 don't remember all of them.

20 Q.               So you can't tell us the  
21 name of where you went?

22 A.               So it is mentioned in the  
23 certificates that are next. All the  
24 names of the universities are mentioned

1 in the attached certificates.

2 Q. What attached certificates?

3 A. So it was attached to my  
4 C.V. I don't know who -- from who you  
5 got the C.V. But in my C.V., I had  
6 attached all the university certificates.

7 Q. Well, we didn't get them.

8 Can you tell us where it was  
9 that you went to school after 1997?

10 A. Okay. 1999?

11 INTERPRETER MIKHAIL: The  
12 interpreter will repeat it.

13 THE WITNESS: After the year  
14 1999, no. It was 1997, correct?

15 BY MR. POUNIAN:

16 Q. That's what I said, 1997.

17 A. Yes, correct. So I took  
18 many courses thereafter. There is one --  
19 some of them are mentioned here. I did  
20 go to a common graduate school. I also  
21 went to George Washington University, as  
22 mentioned here, administrative project  
23 management, it is mentioned here.

24 Q. Sir, you never enrolled at

1 the George Washington University, you  
2 never applied for admission there, did  
3 you, sir?

4 A. So I did not get enrolled in  
5 George Washington University as a  
6 student.

7 I did receive many offers  
8 from many universities for enrollment.  
9 And at the end, I enrolled in Aston  
10 University in England.

11 Q. The course that is listed  
12 here as a Master's Degree, you never  
13 earned a Master's Degree at George  
14 Washington University, did you, sir?

15 A. So there is a difference  
16 between a Master's Degree and a Master's  
17 certificate. I did receive a Master's  
18 certificate.

19 Q. And that was a continuing  
20 education course you took over several  
21 weekends; is that right?

22 MR. SHEN: Objection to  
23 form.

24 THE WITNESS: No, it wasn't

1                   on the weekends.

2 BY MR. POUNIAN:

3                   Q.       It was over a course of a  
4 number of days, like two or three days  
5 repeated over several times; is that  
6 right?

7                   MR. SHEN: Objection.

8                   Objection to form.

9                   I'm sorry, Steve, can you  
10 just clarify? Are you asking each  
11 class or the entire thing?

12                  MR. POUNIAN: The entire  
13 thing.

14                  MR. SHEN: Objection to  
15 form.

16                  THE WITNESS: What's the  
17 question?

18 BY MR. POUNIAN:

19                  Q.       How many days in total did  
20 you attend for this Master's certificate?

21                  A.       I do not remember.

22                  Q.       And did it require that you  
23 apply to the university to take those  
24 courses, or did you simply just send them

1 money and schedule a time to go to the  
2 continuing education course?

3 A. I do not understand the  
4 question.

5 Q. You didn't have to apply to  
6 George Washington University to attend  
7 that course that you took, the Master's  
8 certificate course; is that right?

9 A. There was an offer from  
10 George Washington University to receive a  
11 Master's in project management. And I  
12 did need the project management, so I  
13 enrolled and I finished all the courses.

14 Q. Sir, you didn't have to fill  
15 out an application to -- for George  
16 Washington University to take that  
17 course, did you?

18 It was simply a matter of  
19 scheduling your attendance at that  
20 course; am I correct?

21 A. No. You are speaking about  
22 a different matter. There is a matter  
23 involving the Ph.D., and another one  
24 that's the Master's certificate. Perhaps

1 you are referring to the Ph.D.

2 Q. No. I was referring to the  
3 Master's certificate.

4 And I was just saying, sir,  
5 that it wasn't like applying to a school,  
6 filing an application to get accepted to  
7 the school.

8 You didn't have to get  
9 accepted to take those courses for a  
10 Master's certificate at George Washington  
11 University; am I correct?

12 A. There was an -- no, there  
13 was an offer from the university. And I  
14 attended, finished all the courses and I  
15 received the Master's certificate.

16 The Ph.D. is a different  
17 matter. Perhaps you're referring to the  
18 Ph.D.

19 Q. No, I'm not referring to the  
20 Ph.D.

21 Who sent you an offer?

22 A. The university.

23 Q. Sir, did you have to send in  
24 a transcript or proof that you had

1 educational experience to take the -- to  
2 get the Master's certificate course?

3 A. For the Master's, no.

4 Q. Thank you.

5 MR. POUNIAN: If we could  
6 show the witness USIU PDF 15,  
7 please.

8 - - -

9 (Whereupon, Exhibit  
10 al-Bayoumi-683, No Bates, 12/25/96  
11 Letter, was marked for  
12 identification.)

13 - - -

14 BY MR. POUNIAN:

15 Q. This is a document that was  
16 produced from your file by the United  
17 States International University.

18 Is this a letter that you  
19 wrote?

20 MR. POUNIAN: And if I could  
21 just ask the technician to scroll  
22 through the entire document so the  
23 witness can see it.

24 MR. KRY: Can we get an

1                   exhibit number, too, please?

2                   COURT REPORTER: 683.

3                   MR. POUNIAN: If we can put  
4                   both pages up, please.

5                   MR. SHEN: And, Steve, is  
6                   there a Bates number for this  
7                   document?

8                   MR. POUNIAN: It's 15, 16  
9                   out of the USIU production.

10                  MR. SHEN: Okay.

11                  INTERPRETER MIKHAIL: So  
12                  what was the question?

13 BY MR. POUNIAN:

14 Q.               The question is, is this a  
15 letter you wrote to USIU?

16 A.               I don't remember.

17 Q.               It's dated December 25th,  
18 1996.

19                   Do you see that, sir?

20 A.               Yes, I see it.

21 Q.               And it has your name at the  
22 end?

23 A.               Yes.

24 Q.               And this was from the files

1 of USIU that were produced to us in this  
2 case.

3 Is this your letter, sir?

4 A. I do not know.

5 Q. Well, do you have any reason  
6 to believe it's not your letter?

7 A. I don't remember.

8 Q. Well, did you read through  
9 it, sir?

10 A. I did not read all of it.

11 Q. Well, could you read --  
12 could you read it, sir?

13 A. (In English) Yes.

14 Q. Is the letter correct?

15 MR. SHEN: Objection to  
16 form. What part of the letter?  
17 What are you referring to?

18 MR. POUNIAN: I'm just  
19 asking, can he --

20 BY MR. POUNIAN:

21 Q. Can you recognize this as a  
22 letter you wrote, having read it, sir?

23 A. I do not know. This is a  
24 very old matter. I do not know.

1 Q. Well, this was found in the  
2 files of USIU, and it discusses the  
3 history of your employment.

4 Did you read that in the  
5 first paragraph, sir?

6 A. (In English) Yes.

7 Q. Are the facts there  
8 correct --

9 A. (In English) Yes.

10 Q. -- about your employment?

11 A. (In English) Yes.

12 (Through Interpreter) Yes.

13 Q. Okay. Thank you.

14 Now, sir, do you have any  
15 reason to believe this is not your  
16 letter?

17 MR. SHEN: Objection.

18 THE WITNESS: No, I do not  
19 have any reason to say that it's  
20 not my letter. But I don't  
21 remember because it's quite of an  
22 old matter. I don't remember.

23 BY MR. POUNIAN:

24 Q. Sir, do you know a man named [REDACTED]

1 Saad al Habib?

2 A. Yes.

3 Q. Do you know him today?

4 A. Today?

5 Q. When is the last time you  
6 were in contact with Saad al Habib?

7 A. I don't remember; 15 years  
8 ago, 20 years, something like that.

9 Q. And did you know other  
10 members of his family?

11 A. Do I know them? No.

12 Q. Do you know Saad Habib's  
13 father, Mohamed al Habib?

14 A. No, I do not know him.

15 Q. Have you ever had contact  
16 with Mohamed -- a Mohamed al Habib?

17 A. No.

18 Q. Did there come a time, sir,  
19 when you were given a power of attorney  
20 to purchase property in El Cajon,  
21 California for a mosque?

22 A. Yes.

23 Q. And who gave you the power  
24 of attorney?

1                   A.         It was somebody from  
2       al Habib's family, either Saad Habib or  
3       his brother. But my relationship was  
4       with Saad al Habib.

5                   Q.         What was your relationship?

6                   A.         He was a student in San  
7       Diego.

8                   Q.         When?

9                   A.         He was a student in San  
10      Diego when I came. It was 1994 or 1995.

11                  Q.         And where did you meet him?

12                  A.         Saad Habib, when I met him?  
13      I think I met him at the mosque.

14                  Q.         Which mosque?

15                  A.         Islamic Center in San Diego.

16                  Q.         And when was that, sir, that  
17      you met him?

18                  A.         I think the year '94.

19                  Q.         And is that the year that  
20      you arrived in San Diego?

21                  A.         Yes, yes.

22                  Q.         And is that the year that  
23      you met Omar Hammerman?

24                  A.         Yes. Exactly.

1 Q. And you also met him at the  
2 ICSD mosque; is that right?

3 A. Yes.

4 Q. And how did it -- how did it  
5 happen that you received a power of  
6 attorney to help purchase a property?

7 A. He showed interest in buying  
8 a property in the community so they can  
9 pray at.

10 Q. Who showed interest?

11 A. Saad.

12 Q. And where was -- where was  
13 Saad when he showed interest to you?

14 A. He talked to me over the  
15 phone, then he visited me in San Diego.

16 Q. And when did he visit you?

17 A. The year '94, I think. I'm  
18 not sure.

19 Q. And you said that you first  
20 met him at the ICSD mosque and then he  
21 came to visit you the same year?

22 A. He didn't come to visit me.  
23 He came to see the mosque.

24 Q. Which mosque?

1                   A.         He came to complete the  
2 documents for Al-Madina Mosque.

3                   Q.         And when did he make that  
4 visit?

5                   A.         I think '94.

6                   Q.         When did the mosque open?

7                   A.         Honestly, I don't remember.  
8 I don't remember.

9                   MR. POUNIAN: Can we go on  
10 the FBI record, please?

11                   - - -

12                   (FBI Protected Material.)

13                   - - -

14                   VIDEO TECHNICIAN: One  
15 moment. Still going on.

16                   All right. Everyone should  
17 be in.

18                   MR. POUNIAN: Put before the  
19 witness FBI 1353, please.

20                   - - -

21                   (Whereupon, Exhibit

- Filed publicly -  
Pls. Ex. 390  
(MPS43\_229-30)

22                   al-Bayoumi-684, FBI 1353, was  
23 marked for identification.)

24                   - - -

1 BY MR. POUNIAN:

2 Q. Sir --

3 MR. POUNIAN: Could we put  
4 before -- the Arabic version of  
5 this letter, both pages, please?

6 THE WITNESS: Yes.

7 MR. POUNIAN: If we could  
8 have the second page also. Can we  
9 have the Arabic side by side?

10 BY MR. POUNIAN:

11 Q. Sir, is this a letter that  
12 you wrote to Saad Habib?

13 A. Yes.

14 Q. And it's dated August 10th,  
15 1998; is that right?

16 A. Yes. Yes. That's correct.

17 Q. And the very first sentence  
18 of the letter states that -- or the  
19 second sentence states that prayer would  
20 start at the mosque on July 31st, 1998;  
21 is that right?

22 A. Yes.

23 Q. And is that when the mosque  
24 opened?

1 A. Yes.

2 Q. And am I correct that you  
3 were the general supervisor of the  
4 mosque?

5 A. I was a volunteer. And we  
6 would prepare the mosque for the people  
7 who want to pray there.

8 Q. Sir, am I correct that you  
9 were the general supervisor of the  
10 mosque?

11 A. Yes. In the beginning, yes.  
12 And then gradually it went down, until I  
13 went away.

14 Q. Before the mosque opened, am  
15 I correct, sir, that you helped purchase  
16 the land and helped get the mosque in  
17 shape to open; is that right?

18 A. Yes.

19 Q. And who -- how did the  
20 mosque get its name?

21 A. From the community.

22 Q. What is the -- what is the  
23 name of the mosque?

24 INTERPRETER AL-HALABI: I

1 think the witness is frozen.

2 - - -

3 (Whereupon, a discussion off  
4 the record occurred.)

5 - - -

6 VIDEO TECHNICIAN: Off the  
7 record, 11:35 a.m.

8 - - -

9 (Whereupon, a brief recess  
10 was taken.)

11 - - -

12 VIDEO TECHNICIAN: Back on  
13 the record at 11:49 a.m.

14 BY MR. POUNIAN:

15 Q. Sir, the mosque is named  
16 Masjid Al-Madina al Munawwarah?

17 A. (In English) Yes.

18 Q. What does that mean?

19 A. The community named it with  
20 that name. Masjid Al-Madina al  
21 Munawwarah.

22 Q. My question, sir, was what  
23 does that name mean?

24 A. Al-Madina Munawwarah is a

1 city in Saudi Arabia. It's called  
2 Al-Madina Munawwarah.

3 Q. And how was it that the  
4 community gave the mosque the name after  
5 the city of Al-Madina?

6 A. Al-Madina Munawwarah is the  
7 city of the Prophet Mohamed.

8 Q. I'm asking, how did it come  
9 that the community gave the mosque that  
10 name?

11 A. The community -- there is a  
12 Kurdish community. They gave it that  
13 name. They chose the name.

14 Q. And how did they do that?

15 A. They just named it Al-Madina  
16 Munawwarah.

17 Q. Did they have a meeting and  
18 do that?

19 INTERPRETER AL-HALABI: I'm  
20 sorry, Steve, I didn't hear the  
21 question.

22 BY MR. POUNIAN:

23 Q. Did they have a meeting at  
24 which they agreed to that, or how did it

1 come about that they gave it that name?

2 A. This mosque was put -- or  
3 was established to serve the Muslims in  
4 America. The Kurdish community chose the  
5 name Al-Madina Munawwarah. The sign was  
6 made by the name Al-Madina Munawwarah.

7 They met after the prayer  
8 and they decided that it's going to be  
9 Al-Madina Munawwarah.

10 Q. And when was that decision  
11 made?

12 A. I don't remember.

13 Q. When, in relation to the  
14 opening of the mosque, was that decision  
15 made?

16 A. I don't understand the  
17 question.

18 Q. I'm just asking, when was  
19 the decision made to name the mosque  
20 Al-Madina Mosque, in relation to the time  
21 you opened after -- you know, in 1998?

22 A. Directly after purchasing  
23 it.

24 Q. Did you participate in the

1 decision regarding the name of the  
2 mosque?

3 A. No.

4 Q. And when was the mosque  
5 purchased?

6 A. Honestly, I don't remember.

7 Q. Well, how soon before the  
8 opening was it purchased?

9 A. I don't remember exactly,  
10 but maybe a week, a week or so.

11 Q. Who provided the funds for  
12 the opening -- for the purchase of the  
13 mosque?

14 A. Saad al Habib and his  
15 brother. Saad al Habib and his brother  
16 Mohamed.

17 Q. And how much money did they  
18 provide?

19 A. (In English) I forgot the  
20 amount.

21 (Through Interpreter) I  
22 forgot the amount.

23 Q. Can you give us some idea of  
24 how much it was?

1                   A.         I don't remember. I don't  
2 remember exactly, 400; 300, 400. I don't  
3 remember exactly. It's all written down.

4                   Q.         Are you talking about  
5 hundred thousand dollars, \$400,000?

6                   A.         Yes. Yes, approximately.

7                   Q.         Now, during the time before  
8 the mosque opened, did you call the Saudi  
9 Embassy in Washington regarding the  
10 mosque?

11                  A.         No.

12                  MR. POUNIAN: We're on the  
13 FBI record? If we're not, can we  
14 go on it, please?

15                  Can we mark as the next  
16 exhibit FBI 1344, please?

17                  - - -

18                  (Whereupon, Exhibit

- Filed publicly -  
Pls. Ex. 393  
(MPS43\_219)

19                  al-Bayoumi-685, FBI 1343, was  
20 marked for identification.)

21                  - - -

22                  MR. POUNIAN: And that will  
23 be 685.

24                  VIDEO TECHNICIAN: Steve,

1 still on FBI or off?

2 MR. POUNIAN: We're on FBI,  
3 yes.

4 VIDEO TECHNICIAN: Thank  
5 you.

6 BY MR. POUNIAN:

7 Q. Sir, is this a letter that  
8 you wrote to Mussaed al Jarrah?

9 A. Yes.

10 Q. And how did you know Mussaed  
11 al Jarrah?

12 A. From the embassy's  
13 reception.

14 Q. And can you explain that to  
15 us, sir? What do you mean by that?

16 A. Explain what?

17 Q. How you know Mr. Jarrah from  
18 the embassy's reception.

19 A. Any student that needs  
20 anything would call the embassy. Say  
21 they need furniture for the mosque, they  
22 would ask, who is responsible for that?  
23 They would say, okay, this is the person  
24 responsible for this matter. Therefore,

1       they would contact that person who is  
2       responsible.

3           Q.     And you did call the embassy  
4       regarding the mosque before it opened; is  
5       that correct?

6                   INTERPRETER MIKHAIL: Call  
7                   the embassy regarding the mosque  
8                   and --

9       BY MR. POUNIAN:

10          Q.     I'm sorry, my question was,  
11       and you did call the embassy regarding  
12       the mosque before it opened; is that  
13       correct?

14                   MR. SHEN: Objection.

15                   THE WITNESS: Perhaps that  
16       transpired, yes.

17       BY MR. POUNIAN:

18          Q.     And in that call you got the  
19       name of Mussaed al Jarrah as the person  
20       to talk to?

21                   MR. SHEN: Objection.

22                   THE WITNESS: Yes.

23       BY MR. POUNIAN:

24          Q.     And what was your

1 understanding that Mussaed al Jarrah was  
2 responsible for?

3 A. They said that he's the one  
4 responsible for the religious and Islamic  
5 affairs.

6 Q. And did you then speak to  
7 Mr. Jarrah on the phone?

8 A. I don't remember if it was  
9 him or one of the assistants or who  
10 exactly it was. I got the message  
11 across, that's what I remember.

12 Q. In this letter it states --  
13 in the first sentence, you state, This is  
14 in reference to the phone call regarding  
15 the furniture, Qurans, books and  
16 booklets.

17 Do you see that, sir?

18 A. Yes.

19 Q. And is it fair to say you  
20 had a phone call with Mr. Jarrah before  
21 writing this letter?

22 MR. SHEN: Objection to  
23 form.

24 THE WITNESS: I do not

1 remember, no.

2 BY MR. POUNIAN:

3 Q. Well, given the fact that  
4 you're referring to a phone call and  
5 writing Mr. Jarrah a letter, can we  
6 assume that you spoke to him on the phone  
7 before writing this letter?

8 MR. SHEN: Objection. Calls  
9 for speculation.

10 THE WITNESS: I don't  
11 understand the question.

12 BY MR. POUNIAN:

13 Q. My question is, sir, that  
14 you wrote Mr. Jarrah a letter in  
15 reference to the phone call.

16 Am I correct that you had a  
17 phone call with Mr. Jarrah that was the  
18 subject matter of this letter?

19 MR. SHEN: Objection to  
20 form. Asked and answered.

21 THE WITNESS: Perhaps there  
22 was a phone call with the  
23 receptionist -- perhaps there was  
24 a phone call with the reception

1                   and they referred me so I ended up  
2                   writing this letter. Perhaps it  
3                   was not a direct phone  
4                   communication, perhaps it was  
5                   indirect.

6 BY MR. POUNIAN:

7 Q.               Well, what phone call were  
8 you referring to in this letter?

9 A.               Perhaps the phone call that  
10 I made with the reception.

11 Q.               Is that what you think? Is  
12 that your testimony here today, that it  
13 was your phone call with the receptionist  
14 that you're referring to here?

15 MR. SHEN: Mischaracterizes  
16 what he just said.

17 MR. POUNIAN: Can I get an  
18 answer?

19 THE WITNESS: (In English)  
20 What's the question?

21 (Through Interpreter) Can  
22 you please repeat the question?

23 BY MR. POUNIAN:

24 Q.               I asked you, sir, what phone

1 call you were referring to in this  
2 letter. And you said perhaps it was the  
3 receptionist.

4 Is that -- is it the  
5 receptionist that you're referring to?

6 A. So it is common, when you  
7 call an embassy, that you are answered by  
8 the reception. And then you inquire and  
9 they answer, okay, this is the person  
10 responsible for the books, this is the  
11 person responsible for the Quran and so  
12 forth.

13 This letter is about the  
14 furniture and the books and Quran. So  
15 more likely it was made to the reception  
16 or whoever receives the phone calls at  
17 the embassy.

18 Q. It's a letter to Mr. Jarrah  
19 referring to a phone call.

20 How would Mr. Jarrah know  
21 that you ever called the receptionist?  
22 You don't even mention the receptionist  
23 in the letter.

24 MR. SHEN: Objection. Calls

1 for speculation. Foundation.

2 Asked and answered.

3 THE WITNESS: Yes.

4 BY MR. POUNIAN:

5 Q. Who was the receptionist?

6 A. I do not know.

7 Q. Did you obtain materials  
8 from the embassy?

9 A. I don't remember. Perhaps  
10 the community is the one that received  
11 these materials that were requested. The  
12 Kurdish community was the one that  
13 requested the furniture and so forth.

14 But I do not know. I do not know.

15 Q. But you were making a  
16 request to the embassy; am I right?

17 A. Yes.

18 Q. And did they respond to your  
19 request?

20 A. I don't remember.

21 MR. POUNIAN: Let's mark as  
22 the next exhibit FBI 1344, please.

23 - - -

24 (Whereupon, Exhibit

1                   al-Bayoumi-686, FBI 1344, was  
2                   marked for identification.)  
3                   - - -

- Filed publicly -  
Pls. Ex. 394  
(MPS43\_220)

4 BY MR. POUNIAN:

5                   Q.       Sir, is this a letter that  
6 you wrote to Mussaed al Jarrah on July  
7 21st, 1998?

8                   A.       Yes.

9                   Q.       And the letter refers to a  
10 copy of a letter addressing His Highness,  
11 the director of Islamic Affairs, along  
12 with the pricing letter.

13                  What is the pricing letter?

14                  A.       Honestly, I don't remember.  
15 Perhaps the pricing pertains to the  
16 praying -- the furniture used for  
17 praying.

18                  INTERPRETER ABDEL-RAHMAN: I  
19                  would say the prayer place, the  
20                  prayer space.

21                  INTERPRETER MIKHAIL: Okay.

22                  The prayer space.

23 BY MR. POUNIAN:

24                  Q.       It says, The price does not

1 include the whole building, but the  
2 oratory alone.

3 What does that mean, "the  
4 oratory alone"?

5 A. There are many rooms that  
6 are classes that are used for the youth.  
7 But this is only for the furniture  
8 pertaining to the prayer room.

9 Q. And you were asking for help  
10 from the embassy to provide furniture?

11 A. Yes.

12 Q. And what was the response?

13 A. Honestly, I don't remember.

14 Q. Now, did you get a phone  
15 installed in your office at the mosque?

16 A. Yes.

17 MR. POUNIAN: [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 - - -

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 - - -

1 MR. POUNIAN: [REDACTED]

2 [REDACTED]

3 BY MR. POUNIAN:

4 Q. [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 MR. SHEN: [REDACTED]

10 [REDACTED]

11 THE WITNESS: [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 BY MR. POUNIAN:

15 Q. [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 A. [REDACTED]

19 MR. POUNIAN: [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 BY MR. POUNIAN:

23 Q. [REDACTED]

24 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 A. [REDACTED]

5 Q. [REDACTED]

6 MR. SHEN: [REDACTED]

7 [REDACTED]

8 MR. POUNIAN: [REDACTED]

9 [REDACTED]

10 THE WITNESS: [REDACTED]

11 [REDACTED]

12 MR. SHEN: [REDACTED]

13 [REDACTED] [REDACTED]

14 MR. POUNIAN: [REDACTED]

15 [REDACTED]

16 BY MR. POUNIAN:

17 Q. [REDACTED]

18 [REDACTED]

19 A. [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 Q. [REDACTED]

23 [REDACTED]

24 A. [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 Q. [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 A. [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 Q. [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 A. [REDACTED] [REDACTED]

20 [REDACTED] [REDACTED]

21 [REDACTED] [REDACTED]

22 [REDACTED]

23 Q. [REDACTED]

24 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 A. [REDACTED]

4 Q. [REDACTED]

5 [REDACTED]

6 A. [REDACTED]

7 Q. [REDACTED]

8 MR. POUNIAN: Could we put  
9 up Exhibit-518 again, the phone  
10 book. And if we could go to the  
11 second-to-last page, I think, of  
12 that exhibit.

13 And if you could highlight  
14 Saudi Embassy, Washington -- the  
15 line that says, Royal Embassy of  
16 Saudi Arabia.

17 BY MR. POUNIAN:

18 Q. [REDACTED]

19 [REDACTED]

20 A. [REDACTED]

21 Q. And did you put that number  
22 in your Omar's phone book?

23 A. (In English) Could be  
24 another person.

1 (Through Interpreter) It  
2 could have been another person. Perhaps  
3 one of the volunteers input it or perhaps  
4 I wrote it on a sheet and one of the  
5 volunteers input it in the phone book.

6 Q. But it came from -- the  
7 information came from you; am I correct?

8 A. Yes.

9 Q. And there's a name next to  
10 this phone number, Abdulaziz al Saleh.

11 Do you see that, sir?

12 A. (In English) Yes.

13 Q. Who is that?

14 A. (In English) I don't  
15 remember.

16 (Through Interpreter) I  
17 don't remember. I don't remember who he  
18 is.

19 Q. There's another name up to  
20 the upper right, it says, Khalid al  
21 Sowailem.

22 Do you see that?

23 A. Yes. I do see the name.

24 Q. And who is that?

1 A. I don't remember.

2 Q. And, again, sir, you put  
3 that name in your phone book; am I right?

4 MR. SHEN: Objection to  
5 form.

6 THE WITNESS: I don't  
7 remember.

8 BY MR. POUNIAN:

9 Q. Well, a name associated with  
10 the Saudi Embassy in your phone book was  
11 something that you put in your phone  
12 book; am I right?

13 MR. SHEN: Objection. Asked  
14 and answered.

15 THE WITNESS: Perhaps I  
16 wrote it on a sheet of paper and  
17 somebody input it in the phone  
18 book. I'm not necessarily the  
19 person who input all the telephone  
20 numbers in this phone book.

21 BY MR. POUNIAN:

22 Q. But the information came  
23 from you for these entries for the Saudi  
24 Embassy; am I right?

1 MR. SHEN: Objection to  
2 form.

3 THE WITNESS: Perhaps it's  
4 me. Or perhaps it's from the  
5 community, people were reaching  
6 out to the embassy, and then they  
7 put the name and the number.

8 BY MR. POUNIAN:

9 Q. Who in the community would  
10 be reaching out to the embassy?

11 A. Anyone can call the embassy.  
12 Anyone can call the embassy to inquire  
13 about anything.

14 Q. [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 MR. SHEN: [REDACTED]

19 BY MR. POUNIAN:

20 Q. [REDACTED]

21 [REDACTED]

22 MR. SHEN: [REDACTED]

23 [REDACTED]

24 MR. POUNIAN: [REDACTED]

1 [REDACTED] [REDACTED]

2 [REDACTED]

3 MR. SHEN: [REDACTED] [REDACTED]

4 [REDACTED]

5 MR. POUNIAN: [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 BY MR. POUNIAN:

9 Q. [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 MR. SHEN: [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 MR. POUNIAN: [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 BY MR. POUNIAN:

20 Q. [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 MR. SHEN: [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 MR. POUNIAN: [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 MR. SHEN: [REDACTED] [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 BY MR. POUNIAN:

15 Q. [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 MR. SHEN: [REDACTED]

19 [REDACTED]

20 THE WITNESS: [REDACTED]

21 [REDACTED]

22 BY MR. POUNIAN:

23 Q. [REDACTED]

24 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 MR. SHEN: [REDACTED]

7 [REDACTED]

8 THE WITNESS: [REDACTED]

9 [REDACTED]

10 BY MR. POUNIAN:

11 Q. Sir, the question is, did  
12 you put these numbers in the phone book  
13 or have someone else do it?

14 Were you responsible for  
15 these numbers being in Omar's phone book?

16 MR. SHEN: Objection. Asked  
17 and answered.

18 THE WITNESS: No.

19 BY MR. POUNIAN:

20 Q. You're saying you didn't put  
21 those in the phone book, right?

22 A. You are talking about so  
23 many years ago. I do not know.

24 I'd like to explain. There

1 are volunteers, there are names -- there  
2 are sheets with names on them and any of  
3 the volunteers can input the names that  
4 are on the sheets in the phone book.

5 And like I explained also,  
6 there are other people that would try to  
7 reach to the embassy. It's not  
8 necessarily me, perhaps somebody tried,  
9 somebody else tried, or a third person  
10 tried. It's possible. It's not  
11 necessarily that I'm the one who made all  
12 these phone calls.

13 Q. Where was the phone located?

14 A. The phone? There were two  
15 phones in the office, and the office was  
16 open all the time.

17 Q. And the office was your  
18 office?

19 A. (In English) On the second  
20 floor. The second floor, two offices.

21 (Through Interpreter) On the  
22 second floor. And there were two  
23 offices. And anybody can make phone  
24 calls, families can make phone calls,

1 anyone can make phone calls.

2 Q. What phone numbers were at  
3 that location, sir?

4 MR. SHEN: Objection. Can  
5 you just clarify the question,  
6 please?

7 MR. POUNIAN: Sure.

8 BY MR. POUNIAN:

9 Q. There was a phone in your  
10 office; am I correct, sir?

11 A. Yes, yes. The telephone is  
12 common. There's a telephone here and  
13 there's a telephone in the other office.

14 Q. How many different numbers  
15 did the mosque have, sir?

16 A. They were not different  
17 numbers. It was the same.

18 Q. You're saying there's only  
19 one number for the mosque?

20 A. Yes.

21 Q. And you're saying that this  
22 Exhibit-687 --

23 MR. POUNIAN: If we can put  
24 the phone number in front of the

1                   witness, please. Go to the first  
2                   page.

3 BY MR. POUNIAN:

4                   Q. You're saying that this  
5 phone number at the upper left corner is  
6 the only phone that was operating at the  
7 mosque at the time?

8                   A. I don't remember the exact  
9 number. But if this is the number  
10 written, then more likely it is it. I  
11 don't remember exactly the number.

12                  Q. I'm not asking you to  
13 remember the number, sir.

14                  I'm asking you to tell us,  
15 was there only one number there at the  
16 mosque?

17                  A. Yes. There was only one  
18 number, yes.

19                  Q. Sir, do you know the group  
20 Al-Haramain?

21                  MR. BEETAR: Haramain.

22                  THE WITNESS: No, I do not  
23 know.

24 BY MR. POUNIAN:

1 Q. Sir, did you meet several  
2 members of Al-Haramain at the Al-Madina  
3 Mosque in August of 1998?

4 INTERPRETER MIKHAIL: Asking  
5 for repetition. The interpreter  
6 will repeat.

7 THE WITNESS: I don't  
8 remember.

9 BY MR. POUNIAN:

10 Q. Have you heard of the  
11 organization Al-Haramain?

12 A. I've heard, of course, yes.

13 MR. POUNIAN: If we can mark  
14 as the next Exhibit FBI 1349,  
15 please.

16 - - -

17 (Whereupon, Exhibit  
18 al-Bayoumi-688, FBI 1349-1352, was  
19 marked for identification.)

- Filed publicly -  
Pls. Ex. 410  
(MPS43\_225-28)

20 - - -  
21 THE WITNESS: Andy, can we  
22 take a break just for praying now?

23 MR. SHEN: Yes, let's take a  
24 prayer break. How long do you

1 need?

2 THE WITNESS: (In English)

3 Just 15 minutes or 10 minutes.

4 MR. SHEN: Let's take 15  
5 minutes, please.

6 VIDEO TECHNICIAN: We're  
7 going off the record, 12:33 p.m.

8 - - -

9 (Whereupon, a brief recess  
10 was taken.)

11 - - -

12 VIDEO TECHNICIAN: We're  
13 back on the record at 12:50 p.m.

14 BY MR. POUNIAN:

15 Q. Sir, is it your testimony  
16 that anyone could use the phone at the  
17 Mosque Al-Madina to make long-distance  
18 calls?

19 A. Yes.

20 Q. And the mosque paid for  
21 people to make long-distance calls?

22 A. No, not necessarily. But  
23 sometimes one needs to make a phone call.  
24 We wouldn't stop him. So he would call.

1 Q. I'm saying -- what you're  
2 saying, sir, is that there's -- was the  
3 phone left open for anyone to use to make  
4 long-distance calls?

5 INTERPRETER AL-HALABI: I  
6 think the witness is frozen again.

7 VIDEO TECHNICIAN: We lost  
8 the witness.

9 Off the record, 12:52 p.m.

10 - - -

11 (Whereupon, a brief recess  
12 was taken.)

13 - - -

14 VIDEO TECHNICIAN: We're  
15 back on the record. The time is  
16 12:57 p.m.

17 BY MR. POUNIAN:

18 Q. Sir, the question I asked  
19 you before we went off was, am I correct  
20 that it's your testimony that the phone  
21 at the Mosque Al-Madina was simply left  
22 open, available -- the phone under your  
23 name -- for anyone to make long-distance  
24 calls?

1                   A.         My office was always open  
2         for everyone, and I wouldn't necessarily  
3         be present in the office at all times.

4                   But, yes, my office would be  
5         open and anybody who needs to make a  
6         phone call can come in and make a phone  
7         call. Yes.

8                   Q.         You had no problem with  
9         people making long-distance calls on your  
10        phone in your office?

11                  A.         It was not a problem because  
12        nobody would make such calls except for  
13        rarely. It was a seldom event.

14                  Q.         Sir, what was the name of  
15        the mosque before it became Al-Madina  
16        Mosque?

17                  A.         It was a commercial  
18        building.

19                  Q.         I'm asking about the mosque  
20        itself, sir.

21                  Wasn't it called the Kurdish  
22        Community Islamic Center?

23                  A.         No. The Kurds themselves  
24        called it Masjid Al-Madina al Munawwarah.

1 It was the Kurdish community.

2 Q. Sir, before the mosque  
3 opened and was called Al-Madina Mosque,  
4 was there a Kurdish Community Islamic  
5 Center?

6 A. No.

7 Q. Have you heard of the  
8 Kurdish Community Islamic Center?

9 A. No. They had a rented  
10 building.

11 Q. And did that -- did that  
12 group of people who attended at that  
13 rented building then become the Al-Madina  
14 Mosque?

15 MR. SHEN: Objection to  
16 form.

17 BY MR. POUNIAN:

18 Q. Can you answer the question?  
19 A. Yes. The answer is yes. I  
20 answered yes.

21 MR. POUNIAN: [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

1 - - -

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 - - -

6 BY MR. POUNIAN:

7 Q. [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 MR. SHEN: [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED]

15 MR. POUNIAN: [REDACTED]

16 [REDACTED]

17 MR. SHEN: [REDACTED] [REDACTED]

18 MR. POUNIAN: [REDACTED]

19 THE WITNESS: [REDACTED]

20 [REDACTED]

21 BY MR. POUNIAN:

22 Q. [REDACTED]

23 [REDACTED]

24 [REDACTED]

1 MR. SHEN: [REDACTED]

2 THE WITNESS: [REDACTED]

3 [REDACTED]

4 BY MR. POUNIAN:

5 Q. [REDACTED]

6 A. [REDACTED]

7 MR. POUNIAN: [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 BY MR. POUNIAN:

11 Q. [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 A. [REDACTED]

17 Q. [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 A. [REDACTED]

21 [REDACTED]

22 [REDACTED] [REDACTED]

23 Q. [REDACTED]

24 A. [REDACTED]

1 Q. [REDACTED]

2 [REDACTED]

3 A. [REDACTED]

4 [REDACTED]

5 MR. POUNIAN: If we could  
6 look at Exhibit-688, please. And  
7 if we could show the witness the  
8 Arabic version of this letter.

9 It's four pages.

10 BY MR. POUNIAN:

11 Q. Can you recognize your  
12 handwriting on here, sir?

13 A. Yes.

14 Q. And you wrote to, Dear  
15 Beloved Brother Saad.

16 Do you see that, sir?

17 A. Yes.

18 Q. And that's Saad al Habib?

19 A. Yes.

20 Q. And it states that there was  
21 a meeting that took place on Tuesday,  
22 August 17th.

23 Do you see that, sir?

24 A. Yes.

1 MR. POUNIAN: And if we  
2 could go to the last page of the  
3 letter.

4 BY MR. POUNIAN:

5 Q. It's dated August 18th,  
6 1998; is that correct?

7 A. Yes.

8 MR. POUNIAN: If we go back  
9 to the first page. If we just  
10 look at the first point here, it  
11 discusses the Imamate. In the  
12 Arabic, we have to go to the first  
13 page. It's Point Number 1, if you  
14 see with the colon there. If we  
15 could just highlight the first  
16 sentence there.

17 That's good.

18 BY MR. POUNIAN:

19 Q. The first sentence here  
20 says, The Imamate Al-Haramain members  
21 talked about appointing a full-time Imam  
22 of Saudi nationality.

23 Do you see that, sir?

24 A. (In English) Yes.

1 (Through Interpreter) Yes.

2 Q. Who were the Al-Haramain  
3 members?

4 A. So it was an organization  
5 that came from Saudi Arabia, and they  
6 were called Al-Haramain.

7 Q. And who was there at the  
8 mosque, at the meeting, on Tuesday,  
9 August 17th?

10 A. (In English) The Kurdish  
11 community.

12 (Through Interpreter) The  
13 Kurdish community.

14 Q. And who was there from  
15 Al-Haramain?

16 A. I do not know.

17 Q. Well, you refer to  
18 Al-Haramain members talking about the  
19 appointment of a full-time Imam of Saudi  
20 nationality.

21 Who was it that was talking?

22 A. I want to clarify something.

23 What it says here, Imam with salary --

24 INTERPRETER MIKHAIL: The

1                   interpreter honestly is not sure  
2                   of the English translation.

3                   But the witness is  
4                   clarifying the following: It means  
5                   consistent, like a full-time Imam.  
6                   It does not mean that he's getting  
7                   salary.

8                   MR. BEETAR: Actually, the  
9                   translation in English it says it  
10                  like that. It says, Appointing  
11                  the full-time Imam. So the  
12                  translation of that document is  
13                  accurate.

14                  INTERPRETER MIKHAIL: Thank  
15                  you for the clarification. The  
16                  interpreter cannot see the English  
17                  translation. It's in the  
18                  background.

19                  Thank you.

20 BY MR. POUNIAN:

21 Q. And you said, sir, that  
22 there was an organization that came from  
23 Saudi Arabia called Al-Haramain, right?

24 A. (In English) Yes.

1 Q. And who -- was this a -- how  
2 many people were there from Al-Haramain  
3 who came?

4 A. I don't know. Maybe three  
5 people, three persons.

6 Q. And what were their names?

7 A. I don't know.

8 Q. I'm sorry, did you -- was  
9 the answer I don't know? Is that what I  
10 just heard?

11 INTERPRETER MIKHAIL: Yes.

12 MR. POUNIAN: There was some  
13 feedback.

14 INTERPRETER MIKHAIL: No  
15 problem.

16 BY MR. POUNIAN:

17 Q. Can you describe the three  
18 people to us?

19 A. Honestly, I don't remember  
20 them.

21 Q. But you remember three?

22 A. Yes. I remember that there  
23 was a small number. It wasn't, like, a  
24 big group of seven or ten people. It was

1 about three people.

2 Q. And why did they come to the  
3 mosque?

4 A. So the purpose of their  
5 presence was for them to appoint an Imam  
6 and also to overlook -- to oversee the  
7 maintenance, the remodeling and the  
8 operation.

9 Q. And who invited them to come  
10 to the mosque?

11 A. I do not know.

12 Q. And how is it that they --  
13 how is it they came to the mosque on that  
14 particular day?

15 A. I do not know.

16 Q. How was the visit of these  
17 three men arranged at the mosque?

18 A. So they showed up to the  
19 masjid and they expressed that they are  
20 from Al-Haramain organization and they  
21 expressed their interest in taking care  
22 of the Imamate and the maintenance and  
23 all these matters.

24 They had spoken to Mr. Saad

1 al Habib prior and informed of their  
2 presence or that they would be coming.

3 Q. And did -- Saad al Habib,  
4 did you speak with him before these men  
5 came?

6 A. No.

7 MR. POUNIAN: [REDACTED]

8 [REDACTED]

9 [REDACTED] [REDACTED]

10 [REDACTED]

11 [REDACTED] [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED]

14 - - -

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 - - -

21 BY MR. POUNIAN:

22 Q. [REDACTED]

23 [REDACTED]

24 [REDACTED]

1

MR. POUNIAN: [REDACTED]

2

[REDACTED]

3

[REDACTED]

4

MR. SHEN: [REDACTED]

5

[REDACTED]

6

[REDACTED]

7

[REDACTED]

8

[REDACTED]

9

[REDACTED]

10

[REDACTED]

11

[REDACTED]

12

[REDACTED]

13

[REDACTED]

14

[REDACTED]

15

[REDACTED]

16

[REDACTED]

17

MR. POUNIAN: [REDACTED]

18

[REDACTED]

19

[REDACTED]

20

[REDACTED]

21

MR. SHEN: [REDACTED]

22

[REDACTED]

23

[REDACTED]

24

MR. POUNIAN: [REDACTED]

[REDACTED]

REDACTED FOR PUBLIC FILING

1 MR. SHEN: [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 MR. POUNIAN: [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 MR. SHEN: [REDACTED]

9 [REDACTED] [REDACTED] [REDACTED]

10 BY MR. POUNIAN:

11 Q. [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 MR. SHEN: [REDACTED]

17 [REDACTED] [REDACTED]

18 BY MR. POUNIAN:

19 Q. Did you speak to Saad al  
20 Habib before the Al-Haramain -- three  
21 Al-Haramain members showed up at the  
22 mosque?

23 A. I do not remember.

24 Q. Did the -- the three people

1 were men; am I correct?

2 A. Yes.

3 Q. And did they speak English?

4 A. (In English) I do not know.

5 (Through Interpreter) I do

6 not know.

7 Q. Was there a translator?

8 Were you at the meeting?

9 A. Yes, I was at the meeting,  
10 but they were all speaking Arabic.

11 Q. And was there a translator  
12 there?

13 A. No.

14 Q. Did the men have titles?

15 A. No.

16 Q. And were they -- why was it  
17 that these men were talking about  
18 appointing a full-time Imam of Saudi  
19 nationality at the Al-Madina Mosque?

20 A. That's their lingo.

21 Q. What do you mean by that?

22 A. You misheard it.

23 No. It is their desire.

24 That's what they wanted.

1 INTERPRETER MIKHAIL: The  
2 interpreter corrects.

3 The answer was, it's what  
4 they wanted.

5 MR. SHEN: [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 MR. KRY: [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED]

16 MR. POUNIAN: [REDACTED]

17 MS. INT-HOUT: [REDACTED]

18 [REDACTED] [REDACTED]

19 [REDACTED]

20 MR. POUNIAN: [REDACTED]

21 [REDACTED] [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 MS. INT-HOUT: [REDACTED]

1 [REDACTED]

2 MR. POUNIAN: Thank you. If  
3 we could put up Exhibit-688 again,  
4 please.

5 And if I could just point  
6 you to the first sentence of the  
7 second numbered paragraph there in  
8 the Arabic.

9 BY MR. POUNIAN:

10 Q. It says, The members of  
11 Al-Haramain say there must be a  
12 participation in the management.

13 Do you see that, sir?

14 A. Yes.

15 Q. And how is it that  
16 Al-Haramain was demanding that there must  
17 be participation -- that they must have  
18 participation in the management of the  
19 Al-Madina Mosque?

20 A. That's what they suggested.

21 Q. And did you discuss with  
22 Saad al Habib the request of Al-Haramain  
23 to have participation in the mosque?

24 A. I informed him. I informed

1 him that that was the request.

2 Q. Was Saad al Habib --

3 A. And at the same time, the  
4 community requested it as well.

5 Q. They requested what?

6 INTERPRETER MIKHAIL: The  
7 interpreter misheard. The  
8 interpreter corrects.

9 THE WITNESS: The community  
10 rejected the request.

11 BY MR. POUNIAN:

12 Q. What was Saad al Habib's  
13 job?

14 A. What he did when he was in  
15 San Diego, he was a student.

16 Q. What was his job in Saudi  
17 Arabia?

18 A. (In English) I don't know  
19 exactly.

20 (Through Interpreter) I do  
21 not know exactly.

22 Q. Was Saad al Habib a member  
23 of Al-Haramain?

24 A. No, no.

1 Q. Did he work for the  
2 government?

3 A. No.

4 Q. Did he work for a private  
5 company?

6 A. Yes, he does have a private  
7 company.

8 Q. And what is that company?

9 A. (In English) I don't know.

10 (Through Interpreter) I do  
11 not know. I do not know.

12 MR. POUNIAN: If we could  
13 turn to the last page of this  
14 letter, Page 1352, please.

15 BY MR. POUNIAN:

16 Q. In the last paragraph, it  
17 refers to, My Beloved Brothers Mohamed,  
18 Saad and Saleh.

19 Do you see that?

20 A. Yes.

21 (In English) What is the  
22 question?

23 Q. I just wanted to make sure  
24 you saw that.

1 Who are Mohamed, Saad and  
2 Saleh?

3 A. So they are Mohamed, Saad  
4 and Saleh al Habib. They are -- so Saad  
5 is the one that I know. Mohamed is the  
6 eldest. Saad is the middle one. And  
7 Saleh is the youngest.

8 Q. And they are brothers? They  
9 are all -- they are all al Habib?

10 A. Yes. They are al Habib,  
11 yes.

12 Q. And you state here you're  
13 writing this report at 3:00 in the  
14 morning to set the record straight; is  
15 that right?

16 A. Yes.

17 Q. And if we go down further,  
18 you say, I hope I won't hear that this  
19 mosque was closed because the situation  
20 wasn't understood well.

21 Do you see that, sir?

22 MR. SHEN: Objection. I  
23 have a different translation. But  
24 I assume the translator is just

1 reading the language in Arabic?

2 MR. POUNIAN: I assume the  
3 translator is translating my  
4 question.

5 MR. SHEN: Okay. Then I  
6 have an objection to the question  
7 and the translation that you're  
8 using.

9 INTERPRETER MIKHAIL: You  
10 can re-ask the question and the  
11 interpreter will re-interpret  
12 using the exact --

13 MR. POUNIAN: Well, can the  
14 translator find the sentence that  
15 says, I hope I won't hear that  
16 this mosque was closed.

17 INTERPRETER MIKHAIL: It's  
18 the last two lines.

19 MR. POUNIAN: Can you tell  
20 us which line it is in the Arabic,  
21 how far up it is?

22 INTERPRETER MIKHAIL: It is  
23 the last two lines.

24 MR. POUNIAN: So can we

1 highlight that, please. And the  
2 line above that, please, I assume.

3 INTERPRETER MIKHAIL: Yes.

4 MR. POUNIAN: And can you  
5 read that in Arabic, please?

6 MR. SHEN: I'm sorry, what  
7 does -- where are you starting,  
8 Steve? What does your translation  
9 say when you start the sentence?

10 MR. POUNIAN: I hope that I  
11 won't hear that this mosque was  
12 closed.

13 MR. SHEN: Okay. Thank you.  
14 Go ahead.

15 MR. POUNIAN: That's the  
16 sentence I want to ask the witness  
17 about. So can you read that  
18 sentence to the witness?

19 INTERPRETER MIKHAIL: From  
20 the Arabic?

21 MR. POUNIAN: We have a  
22 translation of it.

23 INTERPRETER MIKHAIL: The  
24 translation or the original in

1 Arabic?

2 MR. POUNIAN: Why don't you  
3 give the translation first and  
4 then give it to the witness in  
5 Arabic.

6 INTERPRETER MIKHAIL: So  
7 we'll give the translation in  
8 English. I hope -- oh, you want  
9 the one that's in the --

10 MR. POUNIAN: I want you to  
11 translate the words from the  
12 Arabic to us, please.

13 INTERPRETER MIKHAIL: From  
14 the Arabic?

15 MR. POUNIAN: Yes, not the  
16 translation that is there. From  
17 the Arabic, please.

18 MR. SHEN: We're just  
19 reading the Arabic now, right?

20 MR. POUNIAN: I'm sorry.  
21 Why don't we just read the  
22 sentence to the witness in Arabic.  
23 Let's do that.

24 INTERPRETER MIKHAIL:

1 Interpreter apologizes.

2 Interpreter got confused.

3 Now, you want interpreter to  
4 translate what's written in Arabic  
5 to English, or you want the  
6 interpreter to read what's written  
7 in Arabic to the witness?

8 MR. POUNIAN: Read what's in  
9 Arabic to the witness, please.

10 Thank you.

11 THE WITNESS: Yes. There  
12 was a clash in opinion. So the  
13 community that was present was the  
14 Kurdish community. Most of them  
15 don't speak Arabic. They speak  
16 English and they speak Kurdish.  
17 Therefore --

18 (In English) Can you  
19 translate, please?

20 (Through Interpreter) So  
21 myself, as an official in the  
22 mosque, I can't bring somebody who  
23 speaks English --

24 (In English) Who speaks

1 Arabic.

2 (The Interpreter) -- who  
3 speaks Arabic and they won't  
4 understand.

5 (In English) Yes. Because  
6 of that, I tell --

7 (Through Interpreter)  
8 Because of that, I told them the  
9 difference in opinion in who would  
10 be Imam, who would assist in  
11 management. That does not concern  
12 me.

13 What concerns me is that the  
14 community would benefit and  
15 understand both Arabic and  
16 English.

17 MR. BEETAR: Sorry, Bachar.  
18 He said Kurdish and English.  
19 Because they are Kurdish  
20 community.

21 INTERPRETER Al-HALABI.  
22 Okay. Let me clarify. I'm sorry,  
23 I must have misheard.

24 THE WITNESS: Kurdish and

1 English.

2 INTERPRETER AL-HALABI: I'm  
3 sorry. Correction.

4 It's Kurdish and English.

5 BY MR. POUNIAN:

6 Q. Sir, am I correct you were  
7 concerned that the Habib brothers would  
8 withdraw their support for the mosque if  
9 the Al-Haramain members did not get what  
10 they asked for?

11 MR. SHEN: Objection to  
12 form.

13 THE WITNESS: Can you repeat  
14 the question one more time?

15 MR. POUNIAN: Can you  
16 re-translate the question, please?

17 INTERPRETER AL-HALABI: Yes.

18 THE WITNESS: No. No. They  
19 were very reasonable, intelligent  
20 people. They understand it's for  
21 the benefit of the community. I  
22 was trying to relay a picture that  
23 there are different opinions so  
24 there will be no disagreements at

1 the mosque.

2 BY MR. POUNIAN:

3 Q. Sir, do you know how it was  
4 that this meeting was scheduled with  
5 Al-Haramain in August of 1998 at the  
6 Al-Madina Mosque?

7 MR. SHEN: Objection. Asked  
8 and answered.

11 BY MR. POUNIAN:

12 Q. My question, sir, is, do you  
13 know how the meeting with Al-Haramain in  
14 August 1998 at the Al-Madina Mosque was  
15 planned, who made the arrangements for  
16 it, how it came about?

17 A. I -- honestly, I don't know.

18 Q. They didn't just show up  
19 unannounced; am I right?

20                   A.       I don't think there was a  
21 previous appointment. But we learned  
22 that they came and said we want to do  
23 this and that, we want to manage the  
24 mosque.

1 I said, no, let's see what  
2 the community says, what their opinion  
3 is. So the community said, we have our  
4 own language, we have our own situation  
5 and it's different.

6 Q. So did you meet with them  
7 first, before the meeting was held with  
8 the community?

9 A. No, at the mosque. They  
10 come to the mosque and we talk all the  
11 time.

12 Q. The Al-Haramain members came  
13 to the mosque and you talked with them?

14 A. Yes.

15 Q. And they were traveling from  
16 Saudi Arabia?

17 A. I don't know.

18 Q. I thought you told us  
19 earlier they came from Saudi Arabia, sir.

20 MR. SHEN: Objection to  
21 form.

22 THE WITNESS: No. But he  
23 said I said they came from Saudi  
24 Arabia. I didn't say they came

1                         from Saudi Arabia.

2  BY MR. POUNIAN:

3                         Q.       Sir, didn't you know they  
4  were -- they came from Saudi Arabia,  
5  these three men?

6                         MR. SHEN: Objection to  
7  form.

8                         THE WITNESS: I don't know  
9  what he means, if they came from  
10  Saudi. Does he mean they are  
11  Saudis, for example? I don't  
12  know. Maybe they came from  
13  America or Britain. But I don't  
14  know.

15                        But what I know is that they  
16  are -- or were from Al-Haramain.

17  BY MR. POUNIAN:

18                        Q.       And they spoke in Arabic?

19                        A.       Yes, yes.

20                        Q.       And do you know where  
21  Al-Haramain was based?

22                        A.       No. No, I don't know.

23                        MR. POUNIAN: If we could  
24  mark FBI 1345, please, as the next

1 exhibit.

2 - - -

3 (Whereupon, Exhibit

- Filed publicly -  
Pls. Ex. 409  
(MPS43\_221-24)

4 al-Bayoumi-691, FBI 1345, was  
5 marked for identification.)

6 - - -

7 MR. POUNIAN: I think it's  
8 690.

9 COURT REPORTER: 691.

10 MR. POUNIAN: 691.

11 BY MR. POUNIAN:

12 Q. And, again, sir, is this  
13 your handwriting?

14 A. Yes.

15 Q. And is this a letter, again,  
16 that you wrote to Saad al Habib?

17 A. Yes.

18 Q. And this is a letter that  
19 you wrote on September 24th, 1998?

20 MR. POUNIAN: If we go to  
21 the very end of the document.

22 THE WITNESS: Yes.

23 MR. POUNIAN: And if we  
24 could go to the second page. And

1 if we could just highlight the  
2 bottom paragraph there.

3 BY MR. POUNIAN:

4 Q. And here, sir, did you  
5 suggest to Saad al Habib that an  
6 independent office be given to  
7 Al-Haramain at the mosque and that they  
8 be placed in charge of the library?

9 A. Yes.

10 Q. Thank you.

11 MR. POUNIAN: We're done  
12 with that document.

13 BY MR. POUNIAN:

14 Q. So did you know a man named  
15 Soliman al Buthe, sir?

16 A. No.

17 Q. Was one of the Al-Haramain  
18 men who visited the Al-Madina Mosque in  
19 August 1998 Soliman al Buthe?

20 A. No, I don't remember.

21 Q. Do you know Soliman al Buthe  
22 by name?

23 A. No.

24 Q. These -- the members of

1 Al-Haramain who came to visit for that  
2 meeting, how long did they stay in San  
3 Diego?

4 A. I don't know.

5 Q. How many times did you see  
6 them?

7 A. One time.

8 Q. You're saying they came to  
9 the mosque one time?

10 A. Yes.

11 Q. And did they leave any  
12 business cards with them or materials?

13 A. I don't remember.

14 MR. POUNIAN: If we could  
15 just put up Exhibit-691 again,  
16 please.

17 Put the Arabic there,  
18 please, the first page.

19 BY MR. POUNIAN:

20 Q. We discussed earlier, sir,  
21 that they came to visit the mosque in  
22 August of 1998. And this letter from  
23 September 24th, 1998, is still discussing  
24 that people are upset from the people of

1 Al-Haramain and the way they used to get  
2 here.

3 Do you see that, sir, on  
4 that page?

5 MR. SHEN: Did you misspeak  
6 about the date, Steve?

7 MR. POUNIAN: It's the date  
8 we've already established from the  
9 end of the letter, this letter,  
10 691.

11 MR. SHEN: Did you say the  
12 4th or the 24th?

13 MR. POUNIAN: I said -- I  
14 meant to say the 24th. I did say  
15 the 24th, yes.

16 THE WITNESS: Yes.

17 BY MR. POUNIAN:

18 Q. And what did you mean by the  
19 way they used to get here, the way the  
20 Al-Haramain people used to get here?

21 What does that mean?

22 A. The way -- it means the way  
23 they used to bring up or mention  
24 subjects.

1 Q. And can you explain that for  
2 us, what you mean by that?

3 A. They used the Imamate way.  
4 They wanted the Imamate to be in the  
5 Arabic language, they wanted to take half  
6 the management.

7 You know, when you -- when  
8 you establish management, there should be  
9 two sides there. But there you didn't  
10 have two sides, it was one side, it was  
11 the Kurdish side. And it's not  
12 reasonable for them to make the Imamate  
13 and other things in Arabic.

14 Q. What did you mean, sir,  
15 by -- when you said the way they used to  
16 get here, referring to Al-Haramain?

17 A. It's to try to take the  
18 Imamate forcibly, it's the way they used  
19 it.

20 Q. And had they done that at  
21 the mosque or in the community there?

22 A. No. They couldn't do  
23 anything. They left. I wrote the report  
24 to brother Saad, and they left.

1 Q. You had previously written  
2 him on August 18th, and then proposed on  
3 August -- on September 24th that  
4 Al-Haramain be given the right to  
5 supervise the library.

6 What happened -- what  
7 happened then?

8 A. Nothing happened. They  
9 left.

10 Q. Why did you raise this issue  
11 again on September 24th if they had  
12 already left in August of 1998?

13 MR. SHEN: Objection to  
14 form.

15 THE WITNESS: I don't  
16 remember.

17 BY MR. POUNIAN:

18 Q. Sir, where did you first  
19 meet Fahad al-Thumairy?

20 A. At the mosque.

21 Q. Which mosque?

22 A. King Fahad Mosque.

23 Q. And when was that, sir?

24 A. I don't remember.

1 Q. And where did you meet him  
2 at the mosque?

3 A. He was praying ahead of  
4 people.

5 Q. And were you introduced to  
6 him?

7 A. No. I went and I said  
8 hello.

9 Q. And am I correct that Fahad  
10 al-Thumairy became your religious  
11 advisor?

12 MR. SHEN: Objection on the  
13 record. Objection to form.

14 You can answer.

15 THE WITNESS: No, he didn't  
16 become a religious advisor. He  
17 was an Imam.

18 BY MR. POUNIAN:

19 Q. Sir, didn't you tell the  
20 9/11 Commission that you considered Fahad  
21 al-Thumairy your religious advisor?

22 A. No, no. If there was a  
23 religious question, we would ask him. We  
24 would go back to him and ask him. He is

1 an Imam, he can be asked.

2 But that doesn't mean that  
3 he knows everything. But you can ask him  
4 his opinion.

5 Q. Well, the statement of your  
6 interview to the 9/11 Commission says  
7 that, Omar al-Bayoumi considered  
8 al-Thumairy his religious advisor.

9 Is that a true statement or  
10 not a true statement?

11 MR. SHEN: Objection to  
12 form. Objection to the  
13 characterization of the statement  
14 of "your interview." And  
15 objection to asking him a question  
16 without showing him the actual  
17 document.

18 THE WITNESS: That's  
19 incorrect.

20 BY MR. POUNIAN:

21 Q. Did you attend the grand  
22 opening of the King Fahad Mosque?

23 A. No.

24 Q. Did you know a Khalil al

1 Khalil?

2 A. No.

3 Q. Do you know -- do you know a  
4 person by that name?

5 A. No.

6 Q. Dr. Khalil al Khalil  
7 testified in this case that you came to  
8 the mosque asking for Thumairy, Fahad  
9 al-Thumairy.

10 Do you recall doing that,  
11 sir?

12 A. No.

13 Q. And do you know what  
14 position Khalil al Khalil held at the  
15 mosque, the King Fahad Mosque?

16 A. I don't know.

17 MR. POUNIAN: Why don't we  
18 take a break for a moment here.

19 - - -

20 (End of FBI Protected  
21 Material.)

22 - - -

23 VIDEO TECHNICIAN: We're  
24 going to go off the record at

1 1:59 p.m.

2 - - -

3 (Whereupon, a brief recess  
4 was taken.)  
5 - - -

6 VIDEO TECHNICIAN: We're  
7 back on the record at 2:20 p.m.

8 BY MR. POUNIAN:

9 Q. Sir, did you ever see Fahad  
10 al-Thumairy in San Diego?

11 INTERPRETER MIKHAIL: Can  
12 you please repeat the name?

13 MR. POUNIAN: Fahad  
14 al-Thumairy.

15 VIDEO TECHNICIAN: Sorry to  
16 interrupt, should I put people  
17 back in the FBI room?

18 MR. POUNIAN: Not yet.

19 VIDEO TECHNICIAN: Okay.

20 MS. PRITSKER: Before we  
21 continue, then, for counsel on  
22 behalf of Dubai Islamic Bank, we  
23 want to note that we were excluded  
24 from testimony on the record

1                   starting at approximately 11:29  
2                   Eastern until right now.

3                   Thank you.

4 BY MR. POUNIAN:

5                   Q.       Sir, did you ever see Fahad  
6                   al-Thumairy in San Diego?

7                   A.       No, I didn't.

8                   Q.       Did you ever go to a mosque  
9                   on Venice Boulevard in Los Angeles called  
10                  the Imam Taymiyyah Mosque?

11                  A.       No.

12                  Q.       Did you host -- strike the  
13                  question.

14                  Did you know that Fahad  
15                  al-Thumairy was working for the Ministry  
16                  of Islamic Affairs?

17                  A.       No.

18                  Q.       Did you know that Fahad  
19                  al-Thumairy was working for the Kingdom  
20                  of Saudi Arabia?

21                  A.       No.

22                  Q.       Did you know that Fahad  
23                  al-Thumairy was in contact with personnel  
24                  from the Ministry of Islamic Affairs?

1 A. No.

2 MR. SHEN: Objection to the  
3 last question.

4 INTERPRETER MIKHAIL: No.

5 The answer to the last question is  
6 no.

7 BY MR. POUNIAN:

8 Q. Did you host -- strike the  
9 question.

10 Did two Ministry of Islamic  
11 Affairs propagators visit the Al-Madina  
12 Mosque for Ramadan 1419?

13 A. Who from the propagators?

14 Q. Sir, do you know -- do you  
15 recall any Ministry of Islamic Affairs  
16 propagators visiting the Al-Madina  
17 Mosque?

18 MR. SHEN: Ever?

19 MR. POUNIAN: Ever.

20 THE WITNESS: I don't  
21 understand the form of the  
22 question.

23 BY MR. POUNIAN:

24 Q. Sir, in Ramadan 1419 --

1                   A.         (In English) In Ramadan,  
2 yes.

3                   Q.         -- there were two Ministry  
4 of Islamic Affairs propagators who  
5 visited the Al-Madina Mosque; is that  
6 right?

7                   A.         During Ramadan, yes.

8                   Q.         And who were those -- who  
9 were those two propagators?

10                  A.         (In English) I don't know  
11 them.

12                  (Through Interpreter) I do  
13 not know them. I do not know.

14                  Q.         You do not what, sir?

15                  A.         I do not know them.

16                  Q.         You don't know their names  
17 as you're sitting here today?

18                  A.         If you gave me names, I  
19 might recognize them.

20                  Q.         Well, was there a time,  
21 before those two propagators came to  
22 visit the mosque, that you discussed  
23 their trip with anyone?

24                  A.         Who are they?

1 Q. Sir, you just stated that  
2 there were two propagators that visited  
3 the Al-Madina Mosque for Ramadan 1419.

4 A. Yes.

5 Q. And in advance of their  
6 arrival at the mosque, did you speak to  
7 anyone regarding their trip to the  
8 mosque?

9 A. Again, who are they?

10 (In English) Names? Names,  
11 right?

12 Q. I'm asking you, sir, the  
13 question.

14 Did you speak to anyone  
15 before these -- you don't remember the  
16 names.

17 And I'm trying to find out,  
18 who did you talk to before these two men  
19 arrived in Ramadan 1419? Who did you  
20 talk to about their trip to the mosque?

21 A. We usually ask the Islamic  
22 Affairs to bring them from the embassy or  
23 for a briefing from the embassy.

24 But I do not -- I'm not

1 aware of who you are speaking about.

2 Q. When you say "we usually ask  
3 the Islamic Affairs," who are you talking  
4 about? Who is the "we" in that sentence?

5 A. So usually in the mosque, in  
6 the masjid, we would ask the embassy,  
7 during the month of Ramadan, for them to  
8 bring propagators, if we need them, for  
9 them -- based on the request of the  
10 community, that they would send a  
11 propagator to help with the prayer, the  
12 prayers of Taraweeh and so forth.

13 Q. And did you make such a  
14 request to the embassy or to the Ministry  
15 at any time?

16 A. Yes. The embassy, yes. We  
17 called them on the premise that we do  
18 need propagators for the month of  
19 Ramadan.

20 Q. And who called who?

21 A. The Islamic Affairs.

22 Q. And we discussed earlier  
23 Mussaed al Jarrah.

24 Did you call Mussaed al

1 Jarrah?

2 A. Not like that. But we would  
3 call and we mention we need so-and-so and  
4 that would be it.

5 Q. And did you place that call?

6 A. I don't remember at this  
7 time. But this is how it usually goes.

8 Q. And would you make those  
9 calls with the embassy?

10 A. Yes, I would. As well as  
11 the community present. I would also call  
12 the embassy.

13 Q. And who else, other than  
14 you, would make a call like that?

15 INTERPRETER MIKHAIL: I'm  
16 just waiting for the question  
17 again. Please repeat the  
18 question.

19 BY MR. POUNIAN:

20 Q. I said who else, other than  
21 you, would make a call to the embassy  
22 like that?

23 A. Regarding the mosque, it can  
24 be the head of the community.

1 Q. Can you name anyone else who  
2 would -- who ever called the embassy from  
3 the masjid -- mosque -- from the  
4 Al-Madina Mosque?

5 A. Yes.

6 Q. Who?

7 A. Perhaps assistants to the  
8 Imam. I'm not sure who exactly made that  
9 call.

10 Q. Sir, can you name anyone  
11 else -- give us the names of anyone else  
12 who placed calls to the embassy from the  
13 mosque?

14 A. I do not know.

15 Q. Now, these two men you said  
16 came for Ramadan 1419, when did you know  
17 they were coming to the mosque?

18 MR. POUNIAN: Do we have an  
19 answer?

20 THE WITNESS: Who are these  
21 two people?

22 BY MR. POUNIAN:

23 Q. Sir, I'm just trying to --  
24 I've been trying to establish that, and I

1 will discuss that with you.

2                   But I want to know first,

3 when did you know in advance when they

4 were going to be coming to the mosque?

5 How far in advance did you know?

6                   A.     Usually we don't know these

7 things. Sometimes Ramadan would start

8 and nobody would show up, sometimes they

9 would come in the middle of Ramadan,

10 sometimes before Ramadan. I don't know.

11                   And I don't know who he's

12 talking about.

13                   Q.     Well, do you recall --

14 strike the question.

15                   I'm talking about Adel Al

16 Sadhan and Mutaeb Al-Sudairy, those two

17 gentlemen.

18                   Do you remember them?

19                   A.     (In English) Yes.

20                   Q.     And they came for Ramadan

21 1419?

22                   A.     I don't remember the dates

23 exactly. But they came in Ramadan. They

24 did the Taraweeh prayer.

1 Q. And you found a place for  
2 them to stay with Dr. Abdussattar Shaikh;  
3 am I correct?

4 MR. SHEN: Objection to  
5 form. States facts not in  
6 evidence.

7 THE WITNESS: No, that's  
8 incorrect.

9 MR. POUNIAN: Can we go on  
10 the FBI record, please?

11 - - -

12 (FBI Protected Material.)

13 - - -

14 VIDEO TECHNICIAN: One  
15 moment.

16 Okay. They are all in.

17 MR. POUNIAN: Put up  
18 Exhibit-492, please.

19 BY MR. POUNIAN:

20 Q. This is the interview  
21 statement of Dr. Abdussattar Shaikh that  
22 was taken in September of 2001.

23 MR. POUNIAN: If we could  
24 turn to the fifth page of this

1 PDF, please, 7339.

2 MR. SHEN: Mischaracterizes  
3 the document.

4 MR. POUNIAN: If we could  
5 highlight the paragraph just below  
6 the redaction, the whole  
7 paragraph.

8 MR. SHEN: Can you give me  
9 the Bates number of the first  
10 page, please?

11 MR. POUNIAN: It's 7336.

12 BY MR. POUNIAN:

13 Q. Sir, this states that, Omar  
14 al-Bayoumi introduced Shaikh to Mutaeb  
15 Al-Sudairy and Adel Al Sadhan, two  
16 scholars visiting from Saudi Arabia.

17 That's what the interview  
18 report of the FBI's interview with Dr.  
19 Shaikh says.

20 Is that a true statement,  
21 sir?

22 A. No, it's incorrect.

23 Q. It states that, They did not  
24 seem to know al-Bayoumi very well.

1 Al-Bayoumi was looking for somewhere for  
2 the two visitors to stay.

3 Is that true, sir?

4 A. How do I not know them well  
5 and how am I looking for a residence for  
6 them?

7 Q. My question sir, is, is that  
8 a correct statement? Were you looking  
9 for a place for them to stay?

10 A. No, that's incorrect.

11 Q. Did they stay with Dr.  
12 Shaikh?

13 A. I don't know.

14 Q. Did you know Dr. Shaikh?

15 A. From the Islamic Center.

16 Q. And you had him over for  
17 dinner at your house, didn't you, sir?

18 A. Yes.

19 Q. And you went on a trip with  
20 him to the King Fahad Mosque, along with  
21 your son, didn't you, sir?

22 A. With my son, yes. But with  
23 Dr. Shaikh, no, I don't remember.

24 Q. Where did Sadhan and Sudairy

1 stay when they were in San Diego?

2 A. I don't remember. I don't  
3 remember.

4 Q. So they could have stayed at  
5 Dr. Shaikh's house; is that right?

6 MR. SHEN: Calls for  
7 speculation.

8 THE WITNESS: I don't  
9 remember.

10 BY MR. POUNIAN:

11 Q. Where did -- where were you  
12 when you first saw Sadhan and Sudairy?

13 A. I don't remember.

14 Q. Did you meet them at the  
15 mosque or somewhere else?

16 A. (In English) I don't  
17 remember.

18 MR. POUNIAN: I don't know  
19 who that was.

20 THE WITNESS: I don't  
21 remember.

22 BY MR. POUNIAN:

23 Q. Did you know that they had  
24 first gone to Los Angeles and met and had

1 dinner with Fahad al-Thumairy before  
2 coming to San Diego?

3 MR. SHEN: Objection to  
4 form.

5 THE WITNESS: I don't know.

6 MR. POUNIAN: If we could  
7 put before the witness  
8 Exhibit-445, please.

9 BY MR. POUNIAN:

10 Q. Is this a letter, sir, that  
11 you wrote to the minister --

12 MR. SHEN: Steve, can you  
13 please read the Bates number?

14 MR. POUNIAN: It's FBI 7591.

15 I'm sorry, KSA 7591. It's  
16 Exhibit-445

- Filed publicly -  
Pls. Ex. 416  
(KSA7591)

17 THE WITNESS: Yes.

18 MR. POUNIAN: And if we  
19 could just go to the second  
20 paragraph, please.

21 BY MR. POUNIAN:

22 Q. Well, first of all, you see  
23 this is written in -- the date on the  
24 upper right-hand corner is Shawwal 1419.

2 A. Yes, yes.

3 Q. And then you go on to  
4 discuss the visit of Sudairy and Sadhan  
5 for Ramadan 1419.

6                           That tells you the date that  
7 they visited, right, sir?

8 A. Yes.

9 Q. And you review -- you say  
10 that they were --

11 A. Not the date showing here.

<sup>12</sup> This is Shawwal. They came in Ramadan,  
<sup>13</sup> the month before.

14 Q. Right.

15 A. This one is Shawwal.

16                   Q.     Exactly. They came a month  
17 before this -- they came the month before  
18 you wrote this -- for the month of  
19 Ramadan --

20 A. (In English) After Ramadan,  
21 yes. After Ramadan, I wrote it.

Q. I understand.

23 And you review in your  
24 letter here that they visited your

1 mosque, the Al-Madina Mosque; is that  
2 right?

3 A. (In English) Yes.

4 Q. And they also went to the  
5 Abu Bakr Mosque?

6 A. (In English) Yes.

7 Q. And that's the same as the  
8 ICSD mosque that we discussed before?

9 A. That's where I live, where  
10 Abu Bakr is.

11 Q. And that's the Islamic  
12 Center of San Diego Mosque, right?

13 A. (In English) Yes.

14 (Through Interpreter) Yes.

15 Q. And it also mentions the  
16 Al-Rribaat Mosque?

17 A. Yes.

18 Q. And that's a mosque at which  
19 you recited poetry once a week, am I  
20 correct, sir, at one time?

21 A. What mosque?

22 Q. The Al-Rribaat Mosque.

23 MR. SHEN: There was an  
24 objection.

1 BY MR. POUNIAN:

2 Q. Sir, can you answer the  
3 question?

4 Did you recite poetry at the  
5 Al-Rribaat Mosque?

6 MR. SHEN: That's a  
7 different question, Steve.

8 MR. POUNIAN: I wasn't  
9 getting an answer. So I'm just  
10 trying to get an answer.

11 THE WITNESS: The answer is  
12 no.

13 BY MR. POUNIAN:

14 Q. And then there's another  
15 mosque mentioned that the two men  
16 visited, the Mosque of Uthman.

17 Do you see that, sir?

18 INTERPRETER AL-HALABI: I  
19 didn't catch the name.

20 Uthman, Masjid al Uthman.

21 THE WITNESS: Yes.

22 BY MR. POUNIAN:

23 Q. And did you go with Sadhan  
24 and Sudairy to these various mosques?

1 A. I don't remember.

2 Q. How did they get to those  
3 mosques?

4 A. Any propagator --  
5 propagators that would come, people were  
6 willing to carry them -- to take them  
7 places, to give them residence or  
8 anything. So it's possible that I went  
9 with them to one of the mosques, but not  
10 all of the mosques.

11 Q. Well, it also says that they  
12 delivered the Eid sermon at the Omar bin  
13 Khatib Mosque.

14 Were you there when they  
15 delivered the Eid sermon?

16 A. No.

17 MR. POUNIAN: [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 - - -

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 - - -

1 MR. POUNIAN: [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 BY MR. POUNIAN:

6 Q. [REDACTED]

7 [REDACTED]

8 A. [REDACTED]

9 Q. [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 A. [REDACTED]

13 Q. [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 MR. SHEN: [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 INTERPRETER AL-HALABI: [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 MR. SHEN: [REDACTED]

24 [REDACTED]

1 [REDACTED]

2 THE WITNESS: [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED] [REDACTED]

6 [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED]

9 BY MR. POUNIAN:

10 Q. [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 A. [REDACTED]

15 Q. [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 MR. SHEN: [REDACTED]

21 [REDACTED]

22 THE WITNESS: [REDACTED]

23 [REDACTED]

24 [REDACTED]

1 [REDACTED] [REDACTED]

2 [REDACTED]

3 BY MR. POUNIAN:

4 Q. [REDACTED]

5 [REDACTED]

6 A. [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 Q. [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 MR. SHEN: [REDACTED]

23 [REDACTED]

24 [REDACTED]

1 [REDACTED]

2 BY MR. POUNIAN:

3 Q. [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 MR. SHEN: [REDACTED] [REDACTED]

8 [REDACTED]

9 THE WITNESS: [REDACTED]

10 [REDACTED] [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED]

15 BY MR. POUNIAN:

16 Q. [REDACTED]

17 [REDACTED]

18 A. [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 Q. [REDACTED]

23 [REDACTED]

24 A. [REDACTED]

1 [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED]  
6 Q. [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 A. [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 Q. [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 A. [REDACTED]  
18 [REDACTED]  
19 Q. [REDACTED]  
20 [REDACTED]  
21 A. [REDACTED] [REDACTED]  
22 [REDACTED]  
23 MR. SHEN: Steve, it's past  
24 10:00 p.m. in Saudi Arabia. Once

1                   you're done with this document,  
2                   let's take a break for the day.

3                   MR. POUNIAN: Why don't we  
4                   break for the day right now.

5                   - - -

6                   (End of FBI Protected  
7                   Material.)

8                   - - -

9                   VIDEO TECHNICIAN: This is  
10                  going to end today's deposition.  
11                  We're going to go off the record  
12                  at 3:03 p.m.

13                  - - -

14                  (Whereupon, the deposition  
15                  concluded for the day at  
16                  3:03 p.m.)

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CERTIFICATE

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3

I, Amanda Maslynsky-Miller, Certified  
Realtime Reporter, do hereby certify that  
prior to the commencement of the  
examination, OMAR AL-BAYOUMI, was remotely  
sworn by me to testify to the truth, the  
whole truth and nothing but the truth.

7

I DO FURTHER CERTIFY that the foregoing is a  
verbatim transcript of the testimony as  
taken stenographically by me at the time,  
place and on the date hereinbefore set  
forth, to the best of my ability.

10

I DO FURTHER CERTIFY that I am neither a  
relative nor employee nor attorney nor  
counsel of any of the parties to this  
action, and that I am neither a relative nor  
employee of such attorney or counsel, and  
that I am not financially interested in the  
action.

15

16

*Amanda Miller*

17

Amanda Miller  
Certified Realtime Reporter

18 Dated: June 21, 2021

19

20 (The foregoing certification of this  
transcript does not apply to any  
21 reproduction of the same by any means,  
unless under the direct control and/or  
22 supervision of the certifying reporter.)

23

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15

16

*Amanda Miller*

17

Amanda Miller  
Certified Realtime Reporter

18 Dated: June 21, 2021

19

20 (The foregoing certification of this  
transcript does not apply to any  
21 reproduction of the same by any means,  
unless under the direct control and/or  
22 supervision of the certifying reporter.)

23

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1 INSTRUCTIONS TO WITNESS

2

3 Please read your deposition  
4 over carefully and make any necessary  
5 corrections. You should state the reason  
6 in the appropriate space on the errata  
7 sheet for any corrections that are made.

8 After doing so, please sign  
9 the errata sheet and date it.

10 You are signing same subject  
11 to the changes you have noted on the  
12 errata sheet, which will be attached to  
13 your deposition.

14 It is imperative that you  
15 return the original errata sheet to the  
16 deposing attorney within sixty (60) days  
17 of receipt of the deposition transcript  
18 by you. If you fail to do so, the  
19 deposition transcript may be deemed to be  
20 accurate and may be used in court.

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- - - - -  
E R R A T A

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3 PAGE LINE CHANGE

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ACKNOWLEDGMENT OF DEPONENT

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I, \_\_\_\_\_, do  
hereby certify that I have read the  
foregoing pages, 1 - 242, and that the  
same is a correct transcription of the  
answers given by me to the questions  
therein propounded, except for the  
corrections or changes in form or  
substance, if any, noted in the attached  
Errata Sheet.

7

8

---

OMAR AL-BAYOUMI

DATE

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10

Subscribed and sworn  
to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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12 My commission expires: \_\_\_\_\_

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Notary Public

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